# HISTORY

OF.

## SCOTLAND

DURING THE REIGNS OF

QUEEN MARY, AND OF KING JAMES VI.

TILL

HIS ACCESSION TO THE CROWN OF ENGLAND.

WITH A

REVIEW OF THE SCOTTISH HISTORY,

AND AN APPENDIX, CONTAINING ORIGINAL PAPERS.

BY WILLIAM ROBERTSON, D.D.

PRINCIPAL OF THE UNIVERSITY OF EDINBURGH, AND HISTORIOGRAPHER TO HIS MAJESTY FOR SCOTLAND.

IN TWO VOLUMES.

THE FOURTEENTH EDITION, with alterations and additions.

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#### PREFACE

TO THE

#### FIRST EDITION.

I DELIVER this book to the world with all the diffidence and anxiety natural to an author on publishing his first performance. The time I have employed, and the pains I have taken, in order to render it worthy of the public approbation, it is, perhaps, prudent to conceal, until it be known whether that approbation shall ever be bestowed upon it.

But as I have departed, in many instances, from former historians, as I have placed facts in a different light, and have drawn characters with new colours, I ought to account for this conduct to my readers; and to produce the evidence, on which, at the distance of two centuries, I presume to contradict the testimony of less remote, or even of contemporary historians.

THE transactions in Mary's reign gave rise to two parties, which were animated against each other with the fiercest political hatred, embittered by religious Each of these produced historians of considerable merit, who adopted all their fentiments, and defended all their actions. Truth was not the fole object of these authors. Blinded by prejudices, and heated by the part which they themselves had acted in the scenes they describe, they wrote an apology for a faction, rather than the history of their country. Succeeding Historians have followed these guides almost implicitly, and have repeated their errors and mifrepresentations. But, as the same passions which inflamed parties in that age have descended to their posterity;

posterity; as almost every event in Mary's reign has become the object of doubt or of dispute; the eager fpirit of controversy soon discovered, that without fome evidence more authentic and more impartial than that of fuch Historians, none of the points in question could be decided with certainty. Records have therefore been fearched, original papers have been produced, and public archives, as well as the repositories of private men, have been ranfacked by the zeal and curiofity of writers of different parties. The attention of Cecil to collect whatever related to that period, in which he acted fo conspicuous a part, hath provided fuch an immense store of original papers for illustrating this part of the English and Scottish history, as are almost fusficient to satisfy the utmost avidity of an Antiquarian. Sir Robert Cotton (whose library is now the property of the Public) made great and valuable additions to Cecil's collection; and from this magazine, Digges, the compilers of the Cabala, Anderson, Keith, Haines, Forbes, have drawn most of the papers which they have printed. No History of Scotland, that merits any degree of attention, has appeared fince these collections were published. By confulting them, I have been enabled, in many instances, to correct the inaccuracies of former Historians, to avoid their mistakes, and to detect their mifrepresentations.

Bur many important papers have escaped the notice of those industrious Collectors; and, after all they have produced to light, much still remained in darkness, unobserved or unpublished. It was my duty to search for these; and I found this unpleasant

task attended with considerable utility.

THE library of the Faculty of Advocates at Edinburgh, contains not only a large collection of original papers relating to the affairs of Scotland, but copies of others no lefs curious, which have been preferved by Sir Robert Cotton, or are extant in the Public Offices in England. Of all these the Curators of that library were pleased to allow me the perusal.

Though

Though the British Museum be not yet open to the Public, Dr. Birch, whose obliging disposition is well known, procured me access to that noble collection, which is worthy the magnificence of a great

and polished nation.

That vast and curious collection of papers relating to the reign of Elizabeth, which was made by Dr. Forbes, and of which he published only two volumes, having been purchased fince his death by the Lord Viscount Royston, his Lordship was so good as to allow me the use of sourteen volumes in quarto, containing that part of them which is connected with my subject.

Valuable collection of original papers in two large volumes. They relate chiefly to the reign of James. Many of them are marked with Archbishop Spottiswood's hand; and it appears from several passages in his history, that he had perused them with great

attention.

MR. Calderwood, an eminent Presbyterian Clergyman of the last century, compiled an history of Scotland from the beginning of the reign of James V. to the death of James VI. in fix large volumes: wherein he has inserted many papers of consequence, which are no where else to be found. This History has not been published; but a copy of it, which still remains in manuscript, in the possession of the church of Scotland, was put into my hands by my worthy friend the Reverend Doctor George Wishart, principal Clerk of the church.

SIR David Dalrymple not only communicated to me the papers which he has collected relating to Gowrie's confpiracy; but, by explaining to me his fentiments with regard to that problematical passage in the Scottish history, has enabled me to place that transaction in a light which dispels much of the darkness and confusion in which it has been hitherto involved.

MR.

MR. Goodall, though he knew my fentiments with regard to the conduct and character of Queen Mary to be extremely different from his own, communicated to me a volume of manuscripts in his possession, which contains a great number of valuable papers copied from the originals in the Cottonian Library and Paper-office, by the late Reverend Mr. Crawford, Regius Professor of Church History in the University of Edinburgh. I likewise received from him the original Register of letters kept by the Regent Lennox during his administration.

I HAVE confulted all these papers, as far as I thought they could be of any use towards illustrating that period of which I write the history. With what success I have employed them to confirm what was already known, to ascertain what was dubious, or to determine what was controverted, the Public

must judge.

I MIGHT easily have drawn, from the different repositories to which I had access, as many papers as would have rendered my Appendix equal in size to the most bulky collection of my predecessors. But I have satisfied myself with publishing a few of the most curious among them, to which I found it necessary to appeal as vouchers for my own veracity. None of these, as far as I can recollect, ever appeared in any former collection.

I HAVE added a Critical Differtation concerning the murder of King Henry, and the genuineness of the Queen's letters to Bothwell. The facts and observations which relate to Mary's letters, I owe to my friend Mr. John Davidson, one of the Clerks to the Signet, who hath examined this point with his usual

acuteness and industry.

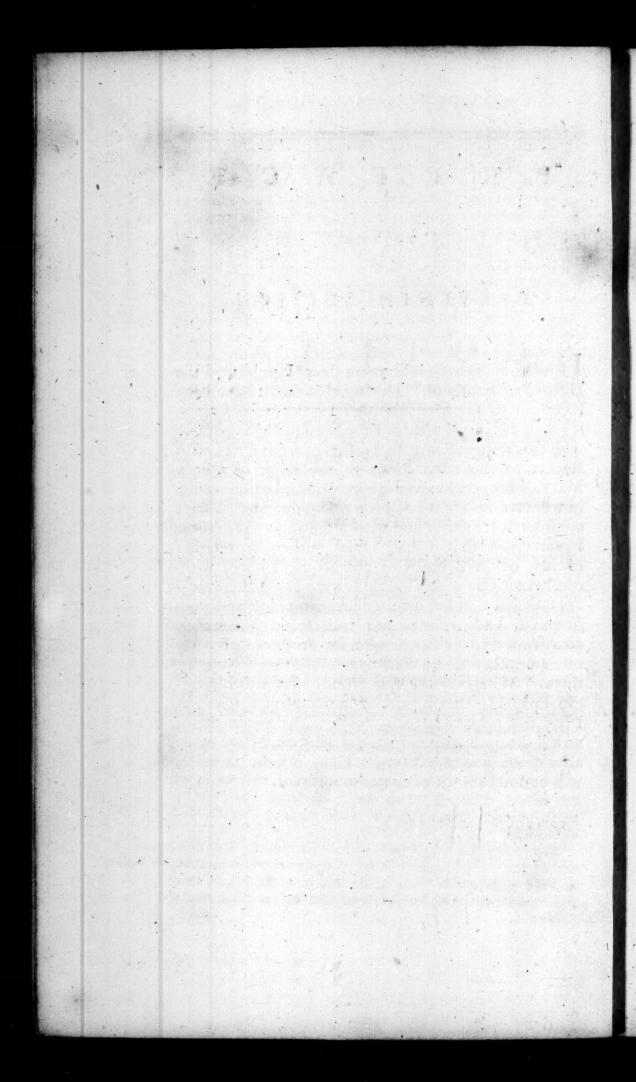
#### PREFACE

TO THE

#### ELEVENTH EDITION.

IT is now twenty-eight years fince I published the History of Scotland. During that time I have been favoured by my friends with feveral remarks upon it; and various strictures have been made by persons who entertained fentiments different from mine, with respect to the transactions in the reign of Queen Mary. From whatever quarter information came, in whatever mode it has been communicated, I have confidered it calmly and with attention. Wherever I perceived that I had erred, either in relating events, or in delineating characters, I have, without hesitation, corrected those errors. Wherever I am fatisfied that my original ideas were just and wellfounded, I-adhere to them; and, resting upon their conformity to evidence already produced, I enter into no discussion or controversy in order to support Wherever the opportunity of confulting original papers either in print or in manuscript, to which I had not formerly access, has enabled me to throw new light upon any part of the History, I have made alterations and additions, which, I flatter myself, will be found to be of fome importance.

March 5th, 1787.



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# HISTORY

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## BOOK I.

Containing a Review of the Scottish History previous to the Death of JAMES V.

I HE first ages of the Scottish history are dark and fa- BOOK bulous. Nations, as well as men, arrive at maturity by degrees, and the events, which happened during their infancy or early youth, cannot be recollected, and deferve not The origin to be remembered. The gross ignorance which anciently of nations covered all the North of Europe, the continual migrations fabulous and obof its inhabitants, and the frequent and destructive revolu- scure. tions which these occasioned, render it impossible to give any authentic account of the origin of the different kingdoms now established there. Every thing beyond that short period to which well-attested annals reach, is obscure; an immense space is left for invention to occupy; each nation, with a vanity inseparable from human nature, hath filled that void with events calculated to display its own antiquity and lustre. History, which ought to record truth and to teach wisdom, often sets out with retailing fictions and

THE Scots carry their pretensions to antiquity as high as Origin of any of their neighbours. Relying upon uncertain legends, the Scots. and the traditions of their bards, still more uncertain, they reckon up a feries of kings feveral ages before the birth of VOL. I.

BOOK Christ; and give a particular detail of the occurrences which happened in their reigns. But with regard to the Scots, as well as the other northern nations, we receive the earliest

A.D. 81. from the Roman authors. When the Romans, under Agricola, first carried their arms into the northern parts of Britain, they found it possessed by the Caledonians, a sierce and warlike people; and having repulsed, rather than conquered them, they erected a strong wall between the firths of Forth and Clyde, and there fixed the boundaries of their empire. Adrian, on account of the dissiculty of defending

A.D. 121. fuch a distant frontier, contracted the limits of the Roman province in Britain, by building a second wall, which ran between Newcastle and Carlisle. The ambition of succeeding Emperors endeavoured to recover what Adrian had abandoned; and the country between the two walls was alternately under the dominion of the Romans, and that of the Caledonians. About the beginning of the fifth century, the inroads of the Goths and other Barbarians obliged the Romans, in order to defend the centre of their empire, to recal those legions which guarded the frontier provinces; and at that time they quitted all their conquests in Britain.

A.D. 421. THEIR long residence in the island had polished, in some degree, the rude inhabitants, and the Britons were indebted to their intercourse with the Romans, for the art of writing, and the use of numbers, without which it is impossible

long to preferve the memory of past events.

NORTH BRITAIN was, by their retreat, left under the dominion of the Scots and Picts. The former, who are not mentioned by any Roman author bofore the end of the fourth century, were probably a colony of the Celtie or Gauls: their affinity to whom appears from their language, their manners, and religious rites; circumstances more decifive with regard to the origin of nations, than either fabulous traditions; or the tales of ill-informed and credulous Annalists. The Scots, if we may believe the common accounts, settled at first in Ireland; and, extending themselves by degrees, landed at last on the coast opposite to that island, and fixed their habitations there. Fierce and bloody wars were, during feveral ages, carried on between them and the A.D. 838. Picts. At length, Kenneth II. the fixty-ninth King of the Scots (according to their own fabulous authors) obtained a complete victory over the Picts, and united under one monarchy, all the country, from the wall of Adrian, to the The kingdom, henceforward, became northern ocean. known by its present name, which it derived from a people.

who at first settled there as strangers, and remained long BOOK obscure and inconsiderable.

FROM this period the history of Scotland would merit fome attention, were it accompanied with any certainty. History of But as our remote antiquities are involved in the same dark- Scotland ness with those of other nations, a calamity peculiar to our- peculiarly obscure. felves has thrown almost an equal obscurity wer our more recent transactions. This was occasioned by the malicious policy of Edward I. of England. Towards the end of the thirteenth century, this monarch called in question the independence of Scotland; pretending that the kingdom was held as a fief of the crown of England, and subjected to all the conditions of a feudal tenure. In order to establish his claim, he feized the public archives, he ranfacked churches and monasteries, and getting possession, by force of fraud, of many historical monuments, which tended to prove the antiquity or freedom of the kingdom, he carried fome of them into England, and commanded the rest to be burned. An universal oblivion of past transactions might have been the effect of this fatal event, but some impersect Chronicles had escaped the rage of Edward; foreign writers had recorded some important facts relating to Scotland; and the traditions concerning recent occurrences were fresh and worthy of credit. These broken fragments John de Fordun, who lived in the fourteenth century, collected with a pious industry, and from them gleaned materials which he formed into a regular history. His work was received by his countrymen with applause; and, as no recourse could be had to more antient records, it supplied the place of the authentic annals of the kingdom. It was copied in many monasteries, and the thread of the narrative was continued by different monks, through the subsequent reigns. In the beginning of the fixteenth century, John Major and Hector Boethius published their histories of Scotland, the former a fuccinct and dry writer, the latter a copious and florid one, and both equally credulous. Not many years after, Buchanan undertook the fame work; and if his accuracy and impartiality had been, in any degree, equal to the elegance of his tafte, and to the purity and vigour of his ftyle, his history might be placed on a level with the most admired compositions of the antients. But, instead of rejecting the improbable tales of Chronicle writers, he was at the utmost pains to adorn them; and hath clothed, with all the beau-

a Innes, Essay 552.

BOOK ties and graces of fiction, those legends, which formerly had

only its wildness and extravagance.

Four remarkable æras in the Scottish, history.

The history of Scotland may properly be divided into four periods. The first reaches from the origin of the monarchy, to the reign of Kenneth II. The second from Kenneth's conquest of the Picts, to the death of Alexander III. The third extends to the death of James V. The last, from thence to the accession of James VI. to the crown of England.

THE first period is the region of pure fable and conjecture, and ought to be totally neglected, or abandoned to the industry and credulity of antiquaries. Truth begins to dawn in the fecond period, with a light, feeble at first, but gradually increasing, and the events which then happened may be flightly touched, but merit no particular or laborious inquiry. In the third period, the history of Scotland, chiefly by means of records preserved in England, becomes moreauthentic: not only are events related, but their causes and effects explained; the characters of the actors are displayed; the manners of the age described; the revolutions in the constitution pointed out: and here every Scotsman should begin not to read only, but to study the history of his country. During the fourth period, the affairs of Scotland were so mingled with those of other nations, its situation in the political state of Europe was so important, its influence on the operations of the neighbouring kingdoms was fo visible, that its history becomes an object of attention to foreigners; and without some knowledge of the various and extraordinary revolutions which happened there, they cannot form a just notion with respect either to the most illustrious events, or to the characters of the most distinguished personages in the fixteenth century.

A review of the third

THE following history is confined to the last of these periods: to give a view of the political state of the kingdom during that which immediately preceded it, is the design of this preliminary Book. The imperfect knowledge which strangers have of the affairs of Scotland, and the prejudices Scotsmen themselves have imbibed with regard to the various revolutions in the government of their country, render such an introduction equally necessary to both.

THE period from the death of Alexander III. to the death of James V. contains upwards of two centuries and a half, from the year one thousand two hundred and eightyfix, to the year one thousand five hundred and forty-two.

Rise of the IT opens with the famous controversy concerning the incontroversy dependence of Scotland. Before the union of the two kingdoms,

doms, this was a question of much importance. If the one BOOK crown had been confidered not as imperial and independent, but as feudatory to the other, a treaty of union could not have been concluded on equal terms, and every advantage concerning which the dependent kingdom procured, must have been the indedeemed the concession of a Sovereign to his vassal. Accord-dendence of ingly about the beginning of the ingly, about the beginning of the present century, and while a treaty of union between the two kingdoms was negociating, this controverfy was agitated with all the heat which national animolities naturally inspire. What was then the subject of ferious concern, the union of the two kingdoms had rendered a matter of mere curiofity. But though the objects which at that time warmed and interested both-nations, exist no longer, a question which appeared so momentous to our ancestors, cannot be altogether indifferent or uninstructive to us. Some of the northren counties of England were early in the hands of the Scottish Kings, who, as far back as the feudal customs can be traced, held these possessions of the Kings of England, and did homage to them on that account. This homage, due only for the territories which they held in England, was in no wife derogatory from their royal dignity. Nothing is more fuitable to feudal ideas, than that the fame person should be both a Lord and a Vassal, independent in one capacity, and dependent in another b. The Crown of England was, without doubt, imperial and independent, though the Princes who wore it were, for many ages, the vassals of the Kings of France; and, in consequence of their possessions in that kingdom, bound to perform all the ser-vices which a feudal sovereign has a title to exact. The fame was the condition of the Monarchs of Scotland; free and independent as Kings of their own country, but, as pofsessing English territories, vassals to the King of England. The English Monarchs, fatisfied with their legal and uncon-

over

nor had any thoughts of usurping more. England, when conquered by the Saxons, being divided by them into many small kingdoms, was in no condition to extend its dominion

A very singular proof of this occurs in the French history. Arpin fold the vicomté of the city Bourges to Philip I. who did homage to the count of Sancerre for a part of these lands, which he held of that Nobleman, A. D. 1100. I believe that no example, of a King's doing homage to one of his own subjects, is to be met with in the histories either of England or Scotland. Philip le Bel abolished this practice in France A. D. 1302. Henaut Abregé Chronol. Somewhat similar to this, is a charter of the Abbot of Melross, A. D. 1535, constituting James V. the Bailiss or Steward of that Abby, vesting in him all the powers which pertained to that office, and requiring him to be answerable to the Abbot for his exercise of the same. Archiv. publ. Edin.

o o k over Scotland, united at that time under one Monarch. though these petty principalities were gradually formed into one kingdom, the reigning princes, exposed to continual invasions of the Danes, and often subjected to the yoke of those formidable pirates, seldom turned their arms towards Scotland, and were little able to establish new rights in that country. The first Kings of the Norman race, busied with introducing their own laws and manners into the kingdom which they had conquered, or with maintaining themselves on the throne which some of them possessed by a very dubious title, were as little folicitous to acquire new authority, or to form new pretentions in Scotland. An unexpected calamity that befel one of the Scottish Kings first encouraged the English to think of bringing his kingdom under dependence. William firnamed the Lion being taken prisoner at Alnwick, Henry II. as the price of his liberty, not only extorted from him an exorbitant ranfom, and a promife to furrender the places of greatest strength in his dominions, but compelled him to do homage for his whole kingdom. Richard I. a generous Prince, folemnly renounced this claim of homage, and absolved William from the hard conditions which Henry had imposed. Upon the death of Alexander III. near a century after, Edward I. availing himself of the fituation of affairs in Scotland, acquired an influence in that kingdom which no English monarch before him ever possessed, and, imitating the interested policy of Henry, rather than the magnanimity of Richard, revived the claim of fovereignty to which the former had pretended.

Pretentions of Bruce and Baliol examined.

MARGARET of Norway, Grand-daughter of Alexander, and heir to his crown, did not long furvive him. The right of fuccession belonged to the descendants of David Earl of Huntingdon, third fon of King David I. Among thefe, Robert Bruce, and John Baliol, two illustrious competitors for the crown, appeared. Bruce was the fon of Isabel, Earl David's fecond daughter; Baliol, the grandson of Margaret the eldest daughter. According to the rules of succession which are now established, the right of Baliol was preferable, and notwithstanding Bruce's plea of being nearer in blood to Earl David, Baliol's claim, as the representative of his mother and grandmother, would be deemed incontestable. But in that age, the order of fuccession was not ascertained with the same precision. The question appeared to be no less intricate, than it was important. Though the prejudices of the people, and perhaps the laws of the kingdom, favoured Bruce, each of the rivals was supported by a powerful faction. Arms alone, it was feared, must terminate a dispute too weighty

weighty for the laws to decide. But, in order to avoid the Book miseries of a civil war, Edward was chosen umpire, and both parties agreed to acquiesce in his decree. This had well nigh proved fatal to the independence of Scotland; and the nation, by its eagerness to guard against a civil war, was not only exposed to that calamity, but almost subjected to a foreign yoke. Edward was artful, brave, enterprising, and commanded a powerful and martial people, at peace with the whole world. The anarchy which prevailed in Scotland, and the ambition of competitors ready to facrifice their country in order to obtain even a dependent Crown, invited him first to feize, and then to fubject the kingdom. The authority of an umpire, which had been unwarily bestowed upon him, and from which the Scots dreaded no dangerous confequences, enabled him to execute his schemes with the greater facility. Under pretence of examining the question with the utmost folemnity, he summoned all the Scottish Barons to Norham, and having gained fome, and intimidated others, he prevailed on all who were prefent, not excepting Bruce and Baliol, the competitors, to acknowledge Scotland to be a fief of the English Crown, and to swear fealty to him as their Sovereign or Liege Lord. This step led to another still more important. As it was vain to pronounce a sentence which he had not power to execute, Edward demanded possession of the kingdom, that he might be able to deliver it to him whose right should be found preferable; and fuch was the pufillanimity of the nobles, and the impatient ambition of the competitors, that both affented to this strange demand, and Gilbert de Umfraville, Earl of Angus, was the only man who refused to surrender the castles in his custody to the enemy of his country. Edward finding Baliol the most obsequious and the least formidable of the two competitors, foon after gave judgment in his favour. Baliol once more professed himself the vassal of England, and submitted to every condition which the Sovereigh whom he had now acknowledged was pleafed to prefcribe.

EDWARD, having thus placed a creature of his own upon the throne of Scotland, and compelled the nobles to renounce the ancient liberties and independence of their country, had reason to conclude that his dominion was now fully established. But he began too soon to assume the master; his new vasials shere and independent, bote with impatience a yoke, to which they were not accustomed. Provoked by his haughtiness, even the passive spirit of Baliol began to mutiny. But Edward, who had no longer use for such a pageant king, forced him to resign the Crown, and openly attempted to seize it as fallen to himself by the rebellion

BOOK of his vassal. At that critical period arose Sir William Wallace, a hero, to whom the fond admiration of his countrymen hath afcribed many fabulous acts of prowefs, though his real valour, as well as integrity and wisdom, are such as need not the heightenings of fiction. He, almost fingle, ventured to take arms in defence of the kingdom, and his boldness revived the spirit of his countrymen. At last, Robert Bruce, the grandson of him who stood in competition with Baliol, appeared to affert his own rights, and to vindicate the honour of his country. The nobles, ashamed of their former baseness, and enraged at the many indignities offered to the nation, crowded to his standard. In order to crush him at once, the English Monarch entered. Scotland, at the head of a mighty army. Many battles were fought, and the Scots, though often vanquished, were not fubdued. The ardent zeal with which the nobles contended for the independence of the kingdom, the prudent valour of Bruce, and above all a national enthusiasm inspired by such a cause, baffled the repeated efforts of Edward, and counterbalanced all the advantages which he derived from the number and wealth of his fubjects. Though the war continued with little intermission upwards of seventy years, Bruce and his posterity kept possession of the throne of Scotland, and reigned with an authority not inferior to that of its former Monarchs.

Bur while the fword, the ultimate judge of all disputes between contending nations, was employed to terminate this controversy, neither Edward nor the Scots seemed to distrust the justice of their cause; and both appealed to history and records, and from these produced, in their own favour, fuch evidence as they pretended to be unanswerable. The letters and memorials addressed by each party to the Pope, who was then reverenced as the common father, and often appealed to as the common judge of all Christian Princes, are still extant. The fabulous tales of the early British history; the partial testimony of ignorant Chroniclers; supposititious treaties and charters; are the proofs on which Edward founded his title to the fovereignty of Scotland; and the homage done by the Scottish monarchs for their lands in England is preposterously supposed to imply the fubjection of their whole kingdom c. Ill founded, however, as their right was, the English did not fail to revive it, in all the fubsequent quarrels between the two kingdoms; while the Scots disclaimed it with the utmost indignation. To this we must impute the fierce and implacable hatred to each

Anderson's Historical Essay concerning the Independency, &c.

other, which long inflamed both. Their national antipathies BOOK were excited, not only by the usual circumstances of frequent hostilities, and reciprocal injuries; but the English confidered the Scots as vastals who had prefumed to rebel, and the Scots, in their turn, regarded the English as usurpers

who aimed at enflaving their country.

AT the time when Robert Bruce began his reign in Scotland, the same form of government was established in all the State of the kingdoms of Europe, This furprifing fimilarity in their when Bruce constitution and laws demonstrates that the nations which began his overturned the Roman empire, and erected these kingdoms, reign. though divided into different tribes, and distinguished by different names, were either derived originally from the fame fource, or had been placed in fimilar fituations. When we take a view of the feudal fystem of laws and policy, that stupendous and fingular fabric erected by them, the first object that strikes us is the King. And when we are told that he is the fole proprietor of all the lands within his dominions, that all his subjects derive their possessions from him, and in return confecrate their lives to his fervice; when we hear that all marks of diffinction, and titles of dignity, flow from him as the only fountain of honour; when we behold the most potent peers on their bended knees, and with folded hands, fwearing fealty at his feet, and acknowledging him to be their Sovereign and their Liege Lord; we are apt to pronounce him a powerful, nay an abfolute monarch. No conclusion, however, would be more rash, or worse founded. The genius of the feudal government was purely aristocratical. With all the ensigns of royalty, and with many appearances of despotic power, a feudal king was the most limited of all princes.

Before they fallied out of their own habitations to con-Origin of quer the world, many of the northern nations feemed not the feudal to have been subject to the government of kings d; and even government where monarchical government was established, the Prince tocratical possessed but little authority. A General rather than a genius. King, his military command was extensive, his civil jurifdiction almost nothing e. The army which he led was not composed of foldiers, who could be compelled to serve, but of fuch as voluntarily followed his standard f. These conquered not for their leader, but for themselves; and being free in their own country, renounced not their liberty when they acquired new fettlements. They did not exterminate the ancient inhabitants of the countries which they fub-

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dued

d Cæf. lib. vi. c. 23. Tacit. de Mor. Germ, c. 7. 11. Caf. ibid.

BOOK dued, but seizing the greater part of their lands, they took their persons under protection. The difficulty of maintaining a new conquest, as well as the danger of being attacked by new invaders, rendering it necessary to be always in a posture of defence, the form of government which they established was altogether military, and nearly refembled that to which they had been accustomed in their native country. General still continuing to be the head of the colony, part of the conquered lands were allotted to him; the remainder, under the name of beneficia or fiefs, was divided amongst his principal officers. As the common fafety required that these officers should, upon all occasions, be ready to appear in arms, for the common defence, and should continue obedient to their General, they bound themselves to take the field, when called, and to ferve him with a number of men, in proportion to the extent of their territory. These great officers again parcelled out their lands among their followers, and annexed the fame condition to the grant. A feudal kingdom was properly the encampment of a great army; military ideas predominated, military fubordination was established, and the possession of land was the pay which foldiers received for their personal service. In confequence of these notions, the possession of land was granted during pleafure only, and Kings were elective. In other words, an officer difagreeable to his General was deprived of his pay, and the person who was most capable of conducting an army was chosen to command it. Such were the first rudiments, or infancy of feudal government.

But long before the beginning of the fourteenth century, the feudal fystem had undergone many changes, of which the following were the most considerable. Kings, formerly elective, were then hereditary; and siefs, granted at first during pleasure, descended from father to son, and were become perpetual. These changes, not less advantageous to the nobles than to the prince, made no alteration in the aristocratical spirit of the seudal constitution. The King, who at a distance seemed to be invested with majesty and power, appears, on a nearer view, to possess almost none of those advantages which bestow on monarchs their grandeur and authority. His revenues were scanty; he had not a standing army; and the jurisdiction he possesses.

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Their revenues were fmall.

General causes

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Ar a time when pomp and splendor were I'ttle known, even in the palaces of kings; when the officers of the crown received scarcely any salary besides the sees and perquisites of their office; when embassies to foreign courts were rare; when

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armies were composed of foldiers who served without pay; BOOK it was not necessary that a king should possess a great revenue; nor did the condition of Europe, in those ages, allow its princes to be opulent. Commerce made little progress in the kingdoms where the feudal government was established. Institutions, which had no other object but to inspire a martial fpirit, to train men to be foldiers, and to make arms the only honourable profession, naturally discouraged the commercial arts. The revenues, arifing from the taxes, imposed on the different branches of commerce, were by confequence inconfiderable; and the prince's treafury received little fupply, from a fource, which among a trading people, flows with fuch abundance, and is almost inexhaustible. A fixed tax was not levied even on land; fuch a burthen would have appeared intolerable to men who received their estates as the reward of their valour, and who confidered their fervice in the field as a full retribution for what they poffeffed. The king's demesses, or the portion of land which he still retained in his own hands unalienated, furnished subfistence to his court, and defrayed the ordinary expence of government 8. The only flated taxes which the feudal law obliged vaffals to pay to the king, or to those of whom they held their lands were three; one when his eldest fon was made a knight; another when his eldest daughter was married; and a third in order to ranfom him if he should happen to be taken prisoner. Besides these, the king received the feudal cafualties of the ward, marriage, &c. of his own And on some extraordinary occasions, his subjects granted him an aid, which they diftinguished by the name of a benevolence, in order to declare that he received it not in confequence of any right, but as a gift, flowing from their good will b. All these added together, produced a revenue, fo scanty and precarious as naturally incited a feudal menarch to aim at diminishing the exorbitant power and wealth of the nobility, but instead of enabling him to carry on his schemes with full effect, kept him in continual indigence, anxiety, and dependence.

Nor could the king fupply the defect of his revenues, They had by the terror of his arms. Mercenary troops and standing no standing armies were unknown, as long as the feudal government armies. subfifted in vigour. Europe was peopled with soldiers. The vaffals of the king, and the fub-vaffals of the barons, were all obliged to carry arms. While the poverty of princes prevented

Craig de Feud. lib. i. Dieg. 14. Du Cange Gloss. voc. Dominicum. h Du Cange, voc. Auxilium.

BOOK prevented them from fortifying their frontier towns, while a campaign continued but a few weeks, and while a fierce and impetuous courage was impatient to bring every quarrel to the decision of a battle, an army, without pay and with little discipline, was sufficient for all the purposes both of the fecurity and of the glory of the nation. Such an army, however, far from being an engine at the king's disposal, was often no less formidable to him, than to his enemies. The more warlike any people were, the more independent they became; and the fame persons being both soldiers and fubjects, civil privileges and immunities were the confequence of their victories, and the reward of their martial exploits. Conquerors, whom mercenary armies, under our present forms of government, often render the tyrants of their own people, as well as the scourges of mankind, were commonly, under the feudal constitution, the most indulgent of all princes to their subjects, because they stood most in need of their affistance. A prince, whom even war and victories did not render the mafter of his own army, possessed hardly any shadow of military power during times of peace. disbanded soldiers mingled with his other subjects; not a fingle man received pay from him; many ages elapsed even before a guard was appointed to defend his person; and deftitute of that great instrument of dominion, a standing army, the authority of the king continued always feeble, and was often contemptible.

Their jurifdiction was limited.

Non were these the only circumstances which contributed towards depressing the regal power. By the feudal system, as has been already observed, the king's judicial authority was extremely circumscribed. At first, princes seem to have been the fupreme Judges of their people, and, in person, heard and determined all controversies among them. The multiplicity of causes soon made it necessary to appoint Judges, who in the king's name, decided matters that belonged to the royal jurisdiction. But the Barbarians, who over-ran Europe, having destroyed most of the great cities, and the countries which they feized being cantoned out among powerful chiefs, who were blindly followed by numerous dependants, whom, in return, they were bound to protect from every injury; the administration of justice was greatly interrupted, and the execution of any legal fentence became almost impracticable. Theft, rapine, murder, and diforder of all kinds, prevailed in every kingdom of Europe, to a degree almost incredible, and scarce compatible with the subsistence of civil society. Every offender sheltered himself under the protection of some powerful chieftain, who screened him from the pursuits

of justice. To apprehend, and to punish a criminal, often BOOK required the union and effort of half a kingdom!. In order to remedy these evils, many persons of distinction were entrusted with the administration of justice within their own territories. But what we may prefume was, at first, only a temporary grant, or a personal privilege, the incroaching spirit of the nobles gradually converted into a right, and rendered hereditary. The lands of some were, in process of time, erected into Baronies, those of others into Regalities. The jurisdiction of the former was extensive; that of the latter, as the name implies, royal, and almost unbounded. All causes, whether civil or criminal, were tried by judges, whom the lord of the regality appointed; and if the king's courts called any person within his territory before them, the lord of regality might put a stop to their proceedings, and by the privilege of repledging, remove the cause to his own court, and even punish his vassal, if he submitted to a foreign jurisdictionk. Thus almost every question, in which any person who resided on the lands of the nobles was interested, being determined by judges appointed by the nobles themselves, their vassals were hardly sensible of being, in any degree, subject to the crown. A feudal kingdom was fplit into many small principalities, almost independent, and held together by a feeble and commonly an imperceptible bond of union. The king was not only stripped of the authority annexed to the person of a supreme judge, but his revenue fuffered no small diminution, by the loss of those pecuniary emoluments, which were, in that age, due to the person who administered justice.

i A remarkable instance of his occurs in the following history, so late as the year one thousand five hundred and fixty-one. Mary, having appointed a court of justice to be held on the borders, the inhabitants of no less than eleven counties were fummoned to guard the person, who was to act as judge, and to enable him to enforce his decisions. The words of a proclamation, which afford such a convincing proof of the feebleness of the feudal government, deferve our notice.—" And because it is necessary for the execution of her Highness' commandments and service, that her justice be well accompanied, and her authority fufficiently fortified, by the concurrence of a good power of her faithful subjects-Therefore commands and charges all and fundry Earls, Lords, Barons, Freeholders, Landed-men, and other Gentlemen, dwelling within the faid counties, that they, and every one of them, with their kin, friends, fervants, and household-men, well bodin in feir of war in the most fubstantious manner [i. e. completely armed and provided], and with twenty days victuals to meet and pass forward with him to the borough of Jedburgh, and there to remain during the faid space of twenty days, and to receive fuch direction and commands, as shall be given by him to them in our Sovereign Lady's name for quietness of the county; and to put the same in execution under the pain of losing their life, lands, and goods." Keith's Hift. of Scotland, 198.

Craig, lib. iii. Dieg. 7.

BOOK.

In the fame propotion that the king funk in power, the nobles rose toward independence. Not fatisfied with having obtained a hereditary right to their fiefs, which they formerly held during pleafure, their ambition aimed at fomething bolder, and by introducing entails, endeavoured, as far as human ingenuity and invention can reach that end, to render their possessions unalienable and everlasting. As they had full power to add to the inheritance transmitted to them from their ancestors, but none to diminish it; time alone, by means of marriages, legacies, and other accidents, brought continual accessions of wealth and of dignity; a great family, like a river, became confiderable from the length of its course, and as it rolled on, new honours and new property flowed fuccessively into it. Whatever influence is derived from titles of honour, the feudal barons likewise possessed in an ample manner. These marks of distinction are, in their own nature, either official or personal, and being annexed to a particular charge, or bestowed by the admiration of mankind upon illustrious characters, ought to be appropriated to thefe. But the fon, however unworthy, could not bear to be stripped of that appellation by which his father had been distinguished. His presumption claimed, what his virtue did not merit; titles of honour became hereditary, and added new lustre to nobles already in poffellion of too much power. Something more audacious and more extravagant still remained. The supreme direction of all affairs, both civil and military, being committed to the great officers of the crown, the fame and fafety of princes, as well as of their people, depended upon the fidelity and abilities of these officers. But such was the preposterous ambition of the nobles, and fo fuccessful even in their wildest attempts to aggrandize themselves, that in all the kingdoms where the feudal institutions prevailed, most of the chief offices of ftate were annexed to great families, and held, like fiefs, by hereditary right. A perfon whose undutiful behaviour rendered him odious to his prince, or whose incapacity exposed him to the contempt of the people, often held a place of power and trust of the greatest importance to both. Scotland, the offices of Lord Juffice General, Great Chamberlain, High Steward, High Constable, Earl Marshal, and High Admiral, were all hereditary; and in many counties, the office of Sheriff was held in the same manner.

Nobles, whose property was so extensive, and whose power was so great, could not fail of being turbulent and formidable. Nor did they want instruments for executing their boldest designs. That portion of their lands, which

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they parcelled out among their followers, supplied them BOOK with a numerous band of faithful and determined vaffals; while that which they retained in their own hands, enabled them to live with a princely splendor. The great hall of an ambitious baron was often more crowded than the court of his fovereign. The strong castles in which they resided, afforded a secure retreat to the discontented and seditious. A great part of their revenue was spent upon multitudes of indigent, but bold retainers. And if at any time they left their retreat to appear in the court of their fovereign, they were accompanied, even in times of peace, with a vast train of armed followers. The usual retinue of William the fixth Earl of Douglas confifted of two thousand horse. Those of the other nobles were magnificent and formidable in proportion. Impatient of subordination, and forgetting their proper rank, fuch potent and haughly barons were the rivals, rather than the subjects, of their prince. They often defpised his orders, insulted his person, and wrested from him his crown. The history of Europe, during several ages, contains little else but the accounts of the wars and revolutions occasioned by their exorbitant ambition.

Bur, if the authority of the barons far exceeded its pro- Their powper bounds in the other nations of Europe, we may affirm ergreaterin that the balance which ought to be preserved between a king Scotland than in any and his nobles was almost entirely lost in Scotland. The other king-Scottish nobles enjoyed, in common with those of other dom. nations, all the means for extending their authority which arise from the aristocratical genius of the feudal government. Befides these, they possessed advantages peculiar to themselves: the accidental sources of their power were confiderable; and fingular circumstances concurred with the spirit of the constitution to aggrandize them. To enume- The partirate the most remarkable of these, will serve both to explain cular causes the political state of the kingdom, and to illustrate many of this. important occurrences in the period now under our review.

I. THE nature of their country was one cause of the The nature power and independence of the Scottish nobility. Level of the and open countries are formed for servitude. The authority country. of the supreme magistrate reaches with ease to the most distant corners; and when nature has erected no barrier, and affords no retreat, the guilty or obnoxious are foon detected and punished. Mountains, and fens, and rivers, set bounds to despotic power, and amidst these is the natural feat of freedom and independence. In fuch places did the Scottish nobles usually fix their residence. By retiring to his own castle, a mutinous baron could defy the power of

BOOK his fovereign, it being almost impracticable to lead an army, through a barren country, to places of difficult access to a fingle man. The fame causes which checked the progress of the Roman arms, and rendered all the efforts of Edward I. abortive, often protected the Scottish nobles from the vengeance of their prince; and they owed their personal independence to those very mountains and marshes which saved

their country from being conquered.

The fmall number of

II. THE want of great cities in Scotland contributed not a little to increase the power of the nobility, and to weaken great cities. that of the prince. Wherever numbers of men affemble together, order must be established, and a regular form of government instituted; the authority of the magistrate must be recognifed, and his decisions meet with prompt and full obedience. Laws and fubordination take rife in cities; and where there are few cities as in Poland, or none as in Tartary, there are few or no traces of a well-arranged police. But under the feudal government, commerce, the chief means of affembling mankind, was neglected; the nobles, in order to strengthen their influence over their vassals, resided among them, and feldom appeared at court, where they found a fuperior, or dwelt in cities, where they met with equals. In Scotland, the fertile counties in the South lying open to the English, no town situated there could rife to be great or populous amidst continual inroads and alarms: the residence of our monarchs was not fixed to any particular place; many parts of the country were barren and uncultivated; and in confequence of these peculiar circumstances, added to the general cause flowing from the nature of the feudal institutions, the towns in Scotland were extremely few, and very inconfiderable. The vaffals of every baron occupied a diffinct portion of the kingdom, and formed a separate and almost independent society. Instead of giving aid towards reducing to obedience their feditious chieftain, or any whom he took under his protection, they were all in arms for his defence, and obstructed the operations of justice to the utmost. The prince was obliged to connive at criminals whom he could not reach; the nobles, conscious of this advantage, were not afraid to offend; and the difficulty of punishing almost affured them of impunity.

The institution of cians.

III. THE division of the country into clans had no small effect in rendering the nobles confiderable. The nations which over-ran Europe were originally divided into many fmall tribes; and when they came to parcel out the lands which they had conquered, it was natural for every chieftain to bestow a portion, in the first place, upon those of his

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own tribe or family. These all held their lands of him; BOOK and as the fafety of each individual depended on the general union, thefe fmall focieties clung together, and were diftinguished by some common appellation, either patronymical, or local, long before the introduction of furnames, or enfigns armorial. But when these became common, the descendants and relations of every chieftain assumed the same name and arms with him; other vaffals were proud to imitate their example, and by degrees they were communicated to all those who held of the same superior. Thus clanships were formed; and in a generation or two, that confanguinity, which was at first in a great measure imaginary, was An artificial union was converted into believed to be real. a natural one; men willingly followed a leader whom they regarded both as the superior of their lands and the chief of their blood, and ferved him not only with the fidelity of vaffals, but with the affection of friends. In the other feudal kingdoms we may observe fuch unions as we have described imperfectly formed; but in Scotland, whether they were the production of chance, or the effect of policy, or introduced by the Irish colony above mentioned, and strengthened by carefully preferving their genealogies both genuine and fabulous, clanships were universal. Such a confederacy might be overcome, it could not be broken; and no change of manners, or of government, has been able, in some parts of the kingdom, to dissolve associations which are founded upon prejudices fo natural to the human mind. How formidable were nobles at the head of followers, who, counting that cause just and honourable which their chief approved, rushed into the field at his command, ever ready to facrifice their lives in defence of his person or of his fame; against such men a king contended with great disadvantage; and that cold service which money purchases, or authority extorts, was not an equal match for their ardour and zeal.

IV. The smallness of their number may be mentioned The small among the causes of the grandeur of the Scottish nobles number of Our annals reach not back to the first division of property the nobles in the kingdom; but so far as we can trace the matter, the original possessions of the nobles seem to have been extensive. The ancient Thanes were the equals and the rivals of their prince. Many of the earls and barons who succeeded them, were masters of territories no less ample. France and England, countries wide and fertile, afforded settlements to a numerous and powerful nobility. Scotland, a kingdom neither extensive nor rich, could not contain many such Vol. I.

BOOK overgrown proprieters. But the power of an aristocracy always diminishes in proportion to the increase of its numbers; feeble if divided among a multitude, irrefiftible if centered in a few. When nobles are numerous, their operations nearly refemble those of the people; they are roused only by what they feel, not by what they apprehend; and fubmit to many arbitrary and oppressive acts, before they take arms against their sovereign. A small body, on the contrary, is more fenfible and more impatient; quick in difcerning, and prompt in repelling danger; all its motions are as fudden as those of the other are flow. Hence proceeded the extreme jealoufy with which the Scottish nobles observed their monarchs, and the fierceness with which they opposed their incroachments. Even the virtue of a prince did not render them less vigilant or less eager to defend their rights; and Robert Bruce, notwithstanding the splendor of his victories and the glory of his name, was upon the point of experiencing the vigour of their refistance, no less than his unpopular descendant James III. Besides this, the near alliance of the great families, by frequent intermarriages, was the natural consequence of their small number; and as confanguinity was, in those ages, a powerful bond of union, all the kindred of a hobleman interested themselves in his quarrel, as a common cause; and every contest the king had, though with a fingle baron, foon drew upon him the arms of a whole confederacy.

Their combinations.

V. Those natural connexions, both with their equals and leagues and with their inferiors, the Scottish nobles strengthened by a device, which, if not peculiar to themselves, was at least more frequent among them, than in any other nation. Even in times of profound peace, they formed affociations, which, when made with their equals, were called leagues of mutual defence; and when with their inferiors, bonds of manrent. By the former, the contracting parties bound themselves mutually to affift each other, in all causes and against all persons. By the latter, protection was stipulated on the one hand, and fidelity and personal service promised on the other1. Self-prefervation, it is probable, forced men at first into these confederacies; and while disorder and rapine were universal, while government was unsettled, and the authority of laws little known or regarded, near neighbours found it necessary to unite in this manner for their fecurity, and the weak were obliged to court the patronage of the strong. By degrees, these affociations became so many alliances

<sup>1</sup> Act 30. Parl. 1424. Act 43. Parl. 1555.

alliances offensive and defensive against the throne; and as B O O K their obligation was held to be more facred than any tie I. whatever, they gave much umbrage to our kings, and contributed not a little to the power and independence of the nobility. In the reign of James II. William the eighth earl of Douglas entered into a league of this kind with the earls of Crawford, Ross, Murray, Ormond, the lords Hamilton, Balveny, and other powerful barons; and so formidable was this combination to the king, that he had recourse to a meafure no less violent than unjust, in order to dissolve it.

VI. THE frequent wars between England and Scotland The freproved another cause of augmenting the power of the no-quent wars bility. Nature has placed no barrier between the two king-land. doms; a river, almost every where fordable, divides them towards the east: on the west, they are separated by an imaginary line. The slender revenues of our kings prevented them from fortifying, or placing garrifons in the towns on the frontier; nor would the jealoufy of their subjects have permitted fuch a method of defence. The barons, whose estates lay near the borders, considered themselves as bound both in honour and in interest to repel the enemy. The wardenships of the different marches, offices of great power and dignity, were generally bestowed on them. This gained them the leading of the warlike counties in the fouth; and their vaffals, living in a state of perpetual hostility, or enjoying at best an insecure peace, became more inured to war than even the rest of their countrymen, and more willing to accompany their chieftain in his most hardy and dangerous enterprises. It was the valour no less than the number of their followers, that rendered the Douglases great. The nobles in the northern and midland counties were often dutiful and obsequious to the crown, but our monarchs always found it impracticable to subdue the mutinous and ungo-vernable spirit of the borderers. In all our domestic quarrels, those who could draw to their side the inhabitants of the fouthern counties, were almost fure of victory; and, conscious of this advantage, the lords who possessed authority there, were apt to forget the duty which they owed their fovereign, and to aspire beyond the rank of subjects.

VII. THE calamities which befel our kings contributed The fremore than any other cause to destroy the royal authority quent miner was any race of monarchs so unfortunate as the norities which hap-Scottish. Of six successive princes, from Robert III. to pened in James VI. not one died a natural death; and the minorities, Scotland, during that time, were longer, and more frequent, than ever happened in any other kingdom. From Robert Bruce to

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BOOK James VI. we reckon ten princes; and seven of these were called to the throne while they were minors, and almost in-Even the most regular and best established governments feel fenfibly the pernicious effects of a minority, and either become languid and inactive, or are thrown into violent and unnatural convultions. But under the imperfect and ill-adjusted system of government in Scotland, these effects were still more fatal; the fierce and mutinous spirit of the nobles, unrestrained by the authority of a king, scorned all fubjection to the delegated jurisdiction of a regent, or to the feeble commands of a minor. The royal authority was circumscribed within narrower limits than ever; the prerogatives of the crown, naturally inconsiderable, were reduced almost to nothing; and the aristocratical power gradually rose upon the ruins of the monarchical. Lest the personal power of a regent should enable him to act with too much vigour, the authority annexed to that office was fometimes rendered inconfiderable, by being divided; or, if a fingle regent was chosen, the greater nobles, and the heads of the more illustrious families, were seldom raised to that dignity. It was often conferred upon men who possessed little influence and excited no jealousy. They, conscious of their own weakness, were obliged to overlook some irregularities, and to permit others; and in order to support their authority, which was destitute of real strength, they endeavoured to gain the most powerful and active barons, by granting them possessions and immunities, which raised them to still greater power. When the king himself came to assume the reins of government, he found his revenues wasted or alienated, the crown lands feized or given away, and the nobles fo accustomed to independence, that, after the struggles of a whole reign, he was feldom able to reduce them to the fame state in which they had been at the beginning of his minority, or to wrest from them what they had usurped during that time. Review of If we take a view of what happened to each of our kings, the events who was fo unfortunate as to be placed in this fituation, the favourable to the no- truth and importance of this observation will fully appear.

bles during

THE minority of David II. the fon of Robert Bruce, was each mino-difturbed by the pretentions of Edward Baliol, who relying on the aid of England, and on the support of some difaffected David II. barons among the Scots, invaded the kingdom. The fuccefs which at first attended his arms, obliged the young king to retire to France; and Baliol took possession of the throne. A small body of the nobles, however, continuing faithful to their exiled prince, drove Baliol out of Scotland; and after an absence of nine years, David returned from France, and

took

took the government of the kingdom into his own hands. BOOK But nobles, who were thus wasting their blood and treasure in defence of the crown, had a right to the undiffurbed possession of their ancient privileges; and even some title to arrogate new ones. It feems to have been a maxim in that age, that every leader might claim as his own, the territory which his fword had won from the enemy. Great acquifitions were gained by the nobility in that way: and to these the gratitude and liberality of David added, by distributing among fuch as adhered to him, the vaft poffessions which fell to the crown by the forfeiture of his enemies. The family of Douglas, which began to rife above the other nobles, in the reign of his father, augmented both its power and its

property during his minority.

JAMES I. was feized by the English during the continuance of a truce, and ungenerously detained a prisoner almost James I. nineteen years. During that period, the kingdom was governed, first by his uncle Robert duke of Albany, and then by Murdo the fon of Robert. Both these noblemen aspired to the crown; and their unnatural ambition, if we may believe most of our historians, not only cut short the days of prince David, the king's elder brother, but prolonged the captivity of James. They flattered themselves that they might step with less opposition into a throne, when almost vacant: and, dreading the king's return as the extinction of their authority and the end of their hopes, they carried on the negociations for obtaining his liberty with extreme remissness. At the same time, they neglected nothing that could either foothe or bribe the nobles to approve of their They flackened the reins of government; they allowed the prerogative to be encroached upon; they fuffered the most irregular acts of power, and even wanton instances of oppression, to pass with impunity; they dealt out the patrimony of the crown among those whose enmity they dreaded or whose favour they had gained; and reduced the royal authority to a flate of imbecility, from which fucceeding monarchs laboured in vain to raife it.

During the minority of James II. the administration of affairs as well as the custody of the king's person were com- James II. mitted to Sir William Crichton and Sir Alexander Livings-Jealoufy and discord were the effects of their conjunct authority, and each of them, in order to strengthen himself, bestowed new power and privileges upon the great men whose aid he courted. While the young earl of Douglas, encouraged by their divisions, erected a fort of independent principality within the kingdom; and forbidding his vaffals to

acknowledge

1405.

BOOK acknowledge any authority but his own, he created knights, appointed a privy council, named officers civil and military, affumed every enfign of royalty but the title of king, and appeared in public with a magnificence more than royal.

EIGHT persons were chosen to govern the kingdom during James III. the minority of James III. Lord Boyd, however, by feizing the person of the young king, and by the ascendant which he acquired over him, foon engroffed the whole authority. He formed the ambitious project of raising his family to the same pitch of power and grandeur with those of the prime nobility; and he affected it. While intent on this, he relaxed the vigour of government, and the barons became accustomed, once more, to anarchy and independence. The power, which Boyd had been at fo much pains to acquire, was of no long continuance, and the fall of his family, according to the fate of favourites, was fudden and destructive; but upon its ruins the family of Hamilton rose, which foon attained the highest rank in the kingdom.

James V.

As the minority of James V. was longer, it was likewise more turbulent, than those of the preceding kings. the contending nobles, encouraged or protected either by the king of France, or of England, formed themselves into more regular factions, and difregarded more than ever the restraints of order and authority. The French had the advantage of feeing one, devoted to their interest, raised to be regent. This was the duke of Albany, a native of France, and a grandfon of James II. But Alexander Lord Home, the most eminent of all the Scottish peers who survived the fatal battle of Flowden, thwarted all his measures during the first years of his administration; and the intrigues of the queen dowager, fifter of Henry VIII. rendered the latter part of it no less feeble. Though supported by French auxiliaries, the nobles despised his authority, and regardless either of his threats or his intreaties, peremptorily refused, two feveral times, to enter England, to the borders of which kingdom he had led them. Provoked by thefe repeated instances of contempt, the regent abandoned his troublesome station, and, retiring to France, preferred the tranquillity of a private life, to an office destitute of real authority. Upon his retreat, Douglas earl of Angus became master of the king's person, and governed the kingdom in his name. Many efforts were made to deprive him of his usurped authority. But the numerous vassals and friends of his family adhered to him, because he divided with them the power and emoluments of his office; the people reverenced and loved the name of Douglas; he exercised, without the title of

had enjoyed that dignity; and the ancient, but dangerous I.

preeminence of the Douglafes feemed to be restored.

To these, and to many other causes, omitted or unobserved by us, did the Scottish nobility owe that exorbitant and uncommon power, of which instances occur so frequently in our history. Nothing however demonstrates so fully the extent of their power, as the length of its duration. Many years after the declension of the seudal systems in the other kingdoms of Europe, and when the arms or policy of princes had, every where, shaken, or laid it in ruins, the soundations of that ancient fabric remained, in a great measure, firm and untouched in Scotland.

THE powers which the feudal inftitutions vefted in the The power nobles, foon became intolerable to all the princes of Europe, of the who longed to possess fomething more than a nominal and bles beprecarious authority. Their impatience to obtain this, pre-came intocipitated Henry III. of England, Edward II. and fome other lerable to weak princes, into rash and premature attempts against the princes. privileges of the barons, in which they were disappointed or perished. Princes, of greater abilities, were content to mitigate evils which they could not cure; they fought occupation for the turbulent spirit of their nobles, in frequent wars; and allowed their fiery courage to evaporate in foreign expeditions, which if they brought no other advantage, fecured at least domestic tranquillity. But time and accidents ripened the feudal governments for destruction. To-The atwards the end of the fifteenth century, and beginning of the tempts to humble the fixteenth, all the princes of Europe attacked, as if by con-nobles fuccert, the power of their nobles. Men of genius then un-cessful in dertook, with fuccefs, what their unskilful predecessors had France and attempted in vain. Lewis XI. of France, the most profound in England. and the most adventurous genius of that age, began, and in a fingle reign almost completed, the scheme of their destruc-The fure but concealed policy of Henry VII. of England produced the same effect. The means, indeed, employed by these monarchs were very different. The blow which Lewis struck was sudden and fatal. The artifices of Henry refembled those flow poisons, which waste the constitution, but become not mortal till some distant period. Nor did they produce confequences less opposite. Lewis boldly added to the crown whatever he rested from the nobles. Henry undermined his barons, by encouraging them to fell their But the lands, which enriched the commons, and gave them a weight nobles conin the legislature unknown to their predecessors. But while tinue to gathese great revolutions were carying on in two kingdoms strength in with Scotland.

BOOK with which Scotland was intimately connected, little alteration happened there; our kings could neither extend their own prerogative, nor enable the commons to encroach upon the aristocracy; the nobles not only retained most of their ancient privileges and possessions, but continued to make new acquifitions.

Our kings endeavoured to extend the royal authority.

This was not owing to the inattention of our princes, or to their want of ambition. They were abundantly fenfible of the exorbitant power of the nobility, and extremely folicitous to humble that order. They did not, however, possess means fufficient for accomplishing this end. The resources of our monarchs were few, and the progrefs which they made was of course inconsiderable. But as the number of their followers, and the extent of their jurisdiction, were the two chief circumstances which rendered the nobles formidable; in order to counterbalance the one, and to restrain the other, all our kings had recourse to nearly the same expedients.

Genera! means towards this

> I. Among nobles of a fierce courage, and of unpolished manners, furrounded with vaffals bold and licentious, whom they were bound by interest and honour to protect, the causes of discord were many and unavoidable. As the contending parties could feldom agree in acknowledging the authority of any common superior or judge, and their impatient spirit would feldom wait the flow decisions of justice, their quarrels were usually terminated by the fword. The offended baron affembled his vaffals, and wasted the lands, or shed the blood of his enemy. To forgive an injury, was mean; to forbear revenge, infamous or cowardlym. Hence quarrels were transmitted from father to son, and, under the name of deadly feuds, subfifted for many generations with unmitigated rancour. It was the interest of the crown to foment rather than to extinguish these quarrels; and by scattering or cherishing the feeds of discord among the nobles, that union, which would have rendered the ariftocracy invincible, and which

Encourage difcord among the nobles.

> m The spirit of revenge was encouraged, not only by the manners, but, what is more remarkable, by the laws of those ages. If any person thought the profecution of an injury offered to his family too troublesome, or too dangerous, the Salique laws permitted him publicly to defift from demanding vengeance; but the same laws, in order to punish his cowardice, and want of affection to his family, deprived him of the right of succession. Henault's Abregé Chronol. p. 81. Among the Anglo-Saxons, we find a fingular inftitution distinguished by the name of sodalitium; a voluntary association, the object whereof was the personal security of those who joined in it, and which the feebleness of government at that time rendered necessary. Among other regulations, which are contained in one of these still extant, the following deferves notice: " If any affociate shall either eat or drink with a person who has killed any member of the fodalitium, unless in the presence of the king, the bishop, or the count, and unless he can prove that he did not know the person, let him pay a great fine." Hicks Dissert. Epistolar. apud Thesaur. Ling. Septentr. vol. i. p. 21.

must at once have annihilated the prerogative, was effec- BOOK tually prevented. To the fame cause, our kings were indebted for the fuccess with which they sometimes attacked the most powerful chieftains. They employed private revenge to aid the impotence of public laws, and arming against the person who had incurred their displeasure those rival families which wished his fall, they rewarded their service by sharing among them the spoils of the vanquished. But this expedient, though it served to humble individuals, did not weaken the body of the nobility. Those who were now the instruments of their prince's vengeance became, in a fhort time, the objects of his fear. Having acquired power and wealth by ferving the crown, they, in their turn, fet up for independence: and though there might be a fluctuation of power and of property; though old families fell, and new ones rose upon their ruins; the rights of the aristocracy remained entire, and its vigour unbroken.

II. As the administration of justice is one of the most pow- Extend the erful ties between a king and his fubjects, all our monarchs jurisdiction were at the utmost pains to circumscribe the jurisdiction of the king's the barons, and to extend that of the crown. The external courts. forms of subordination, natural to the feudal system, favoured this attempt. An appeal lay from the judges and courts of the barons, to those of the king. The right, however, of judging in the first instance belonged to the nobles, and they eafily found means to defeat the effect of appeals, as well as of many other feudal regulations. The royal jurisdiction was almost confined within the narrow limits of the king's demesnes, beyond which his judges claimed indeed much authority, but possessed next to none. Our kings were fensible of these limitations, and bore them with impatience. But it was impossible to overturn in a moment, what was fo deeply rooted; or to strip the nobles, at once, of privileges which they had held fo long, and which were wrought almost into the frame of the feudal constitu-To accomplish this, however, was an object of uniform and anxious attention to all our princes. James I. led the way here, as well as in other instances, towards a more regular and perfect police. He made choice, among the estates of parliament, of a certain number of persons, whom he distinguished by the name of Lords of Session, and appointed them to hold courts for determining civil causes three times in the year, and forty days at a time, in whatever place he pleased to name. Their jurisdiction extended to all matters which formerly came under the cognizance of the king's council, and being a committee of parliament, their decisions were final. James II. obtained a law, an-

BOOK nexing all regalities, which should be forfeited to the crown, and declaring the right of jurifdiction to be unalienable for the future. James III. imposed fevere penalties upon those judges appointed by the barons, whose desisions should be found on a review to be unjust; and by many other regulations, endeavoured to extend the authority of his own court n. James IV. on pretence of remedying the inconveniences arifing from the fhort terms of the court of Session, appointed other judges called Lords of Daily Council. The Seffion was an ambulatory court, and met feldom: the Daily Council was fixed, and fat constantly at Edinburgh; and though not composed of members of parliament, the fame powers which the Lords of Session enjoyed were vested in it. At last James V. erected a new court that still subfifts, and which he named the College of Justice, the judges or Senators of which were called Lords of Council and Session. This court not only exercised the same jurisdiction which formerly belonged to the Seffion and Daily Council, but new rights were added. Privileges of great importance were granted to its members, its forms were prescribed, its terms fixed, and regularity, power, and fplendour conferred upon it o. The persons constituted judges in all these different courts had, in many respects, the advantage of those who prefided in the courts of the barons; they were more eminent for their skill in law, their rules of proceeding were more uniform, and their decisions more confistent. Such judicatories became the objects of confidence, and of vene-Men willingly fubmitted their property to their deration. termination, and their encroachments on the jurisdictions of the nobles were popular, and for that reason successful. By devices of a fimilar nature, the jurifdiction of the nobles in criminal causes was restrained, and the authority of the court of Justiciary extended. The crown, in this particular, gaining infenfibly upon the nobles, recovered more ample authority; and the king, whose jurisdiction once refembled that of a baron, rather than that of a fovereign p, came

<sup>&</sup>lt;sup>2</sup> Act 26. P. 1469. Act 94. P. 1493. Act 99. P. 1487. • Keith, App. 74, &c. P. The most perfect idea of the feudal system of government may be attained by attending to the state of Germany, and to the history of France. In the former, the feudal institutions still subsist with great vigour; and though altogether abolished in the latter, the public records have been so carefully preserved, that the French lawyers and antiquaries have been enabled, with more certainty and precision than those of any other country in Europe, to trace its rise, its progress, and revolutions. In Germany, every principality may be considered as a fief, and all its great princes as vassals, holding of the emperor. They possess all the feudal privileges; their fiefs are perpetual; their jurisdictions within their own territories separate and extensive; and the

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more and more to be confidered as the head of the commu- BOOK nity, and the supreme dispenser of justice to his people. These acquisitions of our kings, however, though comparatively great, were in reality inconfiderable; and, notwithstanding all their efforts, many of the separate jurisdictions possessed by the nobles remained in great vigour; and their final abolition was referred to a distant and more happy period.

Bur besides these methods of defending their prerogative Each of our and humbling the aristocracy, which may be considered as kings purcommon to all our princes, we shall find, by taking a review fled some of their reigns, that almost every one of our kings, from humbling Robert Bruce to James V. had formed fome particular the nobles. fystem for depressing the authority of the nobles, which was the object both of their jealoufy and terror. This conduct of our monarchs, if we rest satisfied with the accounts of our historians, must be considered as flowing entirely from their refentment against particular noblemen; and all their attempts to humble them must be viewed as the fallies of private passion, not as the consequences of any general plan of policy. But though fome of their actions may be imputed to those passions, though the different genius of the men, the temper of the times, and the state of the nation, necessarily occasioned great variety in their schemes; yet This provwithout being chargeable with excessive refinement, we may ed by a reaffirm that their end was uniformly the fame; and that the view of the events in project of reducing the power of the aristocracy, sometimes their reigns. avowed, and purfued with vigour; fometimes concealed, or feemingly fuspended; was never altogether abandoned.

offices of the empire are all hereditary, and annexed to particular families. At the same time the emperor retains many of the prerogatives of the feudal monarchs. Like them, his claims and pretensions are innumerable, and his power fmall; his jurisdiction within his own demesnes or hereditary countries is complete; beyond the bounds of these it is almost nothing; and so permanent are feudal principles, that although the feudal fystem be overturned in almost every particular state in Germany, and although the greater part of its princes have become absolute, the original feudal constitution of the empire still remains, and ideas peculiar to that form of government direct all its operations, and determine the rights of all its princes. Our observations with regard to the limited jurisdiction of kings under the feudal governments, are greatly illustrated by what happened in France. The feebleness and dotage of the descendants of Charlemaigne encouraged the peers to usurp an independent jurisdiction. Nothing remained in the hands of the crown; all was seized by them. When Hugh Capet ascended the throne, A. D. 987, he kept possession of his private patrimony the Conté of Paris; and all the jurisdiction which the kings his successors exercised for some time, was within its territories. There were only four towns in France where he could effablish Grands Baillis, or royal judges; all the other lands, towns, and bail-lages belonged to the nobles. The methods to which the French Monarchs had recourse for extending their jurisdiction were exactly similar to those employed by our princes. Henault's Abregé, p. 617, &c. De l'Esprit des Loix, liv. 30, ch. 20, &c.

BOOK

Robert Bruce.

No prince was ever more indebted to his nobles than Robert Bruce. Their valour conquered the kingdom, and placed him on the throne. His gratitude and generofity bestowed on them the lands of the vanquished. Property has feldom undergone greater or more fudden revolutions, than those to which it was subject at that time in Scotland. Edward I. having forseited the estates of most of the ancient Scottish barons, granted them to his English subjects. These were expelled by the Scots, and their lands seized by new masters. Amidst such rapid changes, confusion was unavoidable; and many possessed their lands by titles extremely defective. During one of those truces between the two nations, occasioned rather by their being weary of war than defirous of peace, Robert formed a scheme for checking the growing power and wealth of the nobles. He fummoned them to appear, and to shew by what right they held their lands. They affembled accordingly, and the question being put, they started up at once, and drew their swords, " By thefe, faid they, we acquired our lands, and with thefe we will defend them." The king, intimidated by their boldness, prudently dropped the project. But so deeply did they refent this attack upon their order, that, notwithstanding Robert's popular and splendid virtues, it occasioned a dangerous conspiracy against his life.

David II. David his fon, at first an exile in France, afterwards a prisoner in England, and involved in continual war with Edward III. had not leisure to attend to the internal police of his kingdom, or to think of retrenching the privileges of

the nobility.

James I.

Robert II. Our historians have been more careful to relate the military than the civil transactions of the reign of Robert II. Skirmishes and inroads of little consequence they describe minutely; but with regard to every thing that happened during several years of tranquillity, they are altogether silent.

Robert III. THE feeble administration of Robert III. must likewise be passed over slightly. A prince of a mean genius, and of a frail and sickly constitution, was not a fit person to enter the lists with active and martial barons, or to attempt wresting from them any of their rights.

THE civil transactions in Scotland are better known fince the beginning of the reign of James I. and a complete series of our laws supplies the defects of our historians. The English made some amends for their injustice in detaining that prince a prisoner, by their generous care of his education. During his long residence in England he had an

opportunity.

opportunity of observing the feudal system in a more ad- B O O K vanced state, and refined from many of the imperfections which still adhered to it in his own kingdom. He faw their nobles great, but not independent; a king powerful, though far from absolute: he faw a regular administration of government; wife laws enacted; and a nation flourishing and happy, because all ranks of men were accustomed to obey them. Full of these ideas, he returned into his native country, which presented to him a very different scene. The royal authority, never great, was now contemptible, by having been fo long delegated to regents. The ancient patrimony and revenues of the crown were almost totally alienated. During his long absence the name of king was little known, and less regarded. The licence of many years had rendered the nobles independent. Universal anarchy prevailed. The weak were exposed to the rapine and oppression of the strong. In every corner some barbarous chieftain ruled at pleasure, and neither feared the king nor pitied the people q.

JAMES was too wife a prince to employ open force to correct fuch inveterate evils. Neither the men nor the times would have borne it. He applied the gentler and less offenfive remedy of laws and statutes. In a parliament held immediately after his return, he gained the confidence of his people, by many wife laws, tending visibly to re-establish order, tranquillity, and justice in the kingdom. But, at the fame time that he endeavoured to fecure these bleffings to his subjects, he discovered his intention to recover those posfessions of which the crown had been unjustly bereaved; and for that purpose obtained an act, by which he was impowered to fummon fuch as had obtained crown lands during the three last reigns, to produce the rights by which they held them. As this statute threatened the property of the nobles, another which passed in a subsequent parliament aimed a dreadful blow at their power. By it the leagues and combinations which we have already described, and which rendered the nobles fo formidable to the crown, were declared unlawful's. Encouraged by his success in the beginning of his enterprise, James's next step was still bolder and more decifive. During the fitting of parliament he feized,

A cotemporary monkish writer describes these calamities very feelingly, in his rude Latin: In diebus illis, non erat lex in Scotia, sed quilibet potentiorum juniorem oppressit; et totum regnum suit unum latrocinium; homieidia, deprædationes, incendia, et cætera malesicia remanserunt impunita; et justitia relegata extra terminos regni exulavit. Chartular. Morav. apud Innes Essay, vol. i. p. 272.

Act 9. P. 1424.

<sup>·</sup> Act. 30. P. 1424.

BOOK seized, at once, his cousin Murdo duke of Albany, and his 1. fons; the earls of Douglas, Lennox, Angus, March, and above twenty other peers and barons of prime rank. To all of them, however, he was immediately reconciled, except to Albany and his fons, and Lennox. These were tried by their peers, and condemned; for what crime is now unknown. Their execution struck the whole order with terror, and their forfeiture added vast possessions to the crown. He feized, likewife, the earldoms of Buchan and Strathern, upon different pretexts; and that of Mar fell to him by inheritance. The patience and inactivity of the nobles, while the king was proceeding fo rapidly towards aggrandizing the crown, are amazing. The only obstruction he met with was from a flight infurrection headed by the duke of Albany's youngest son, and that was easily suppressed. The splendour and presence of a king, to which the great men had been long unaccustomed, inspired reverence: James was a prince of great abilities, and conducted his operations with much prudence. He was in friendship with England, and closely allied with the French king: he was adored by the people, who enjoyed unufual fecurity and happiness under his administration: and all his acquifitions, however fatal to the body of the nobles, had been gained by attacks upon individuals; were obtained by decifions of law; and being founded on circumstances peculiar to the persons who suffered, might excite murmurs and apprehensions, but afforded no colourable pretext for a general rebellion. It was not fo with the next attempt which the king made. Encouraged by the facility with which he had hitherto advanced, he ventured upon a measure that irritated the whole body of the nobility, and which the events shew either to have been entered into with too much precipitancy, or to have been carried on with too much violence. The father of George Dunbar earl of March had taken arms against Robert III. the king's father; but that crime had been pardoned, and his lands restored by Robert duke of Albany. James, on pretext that the regent had exceeded his power, and that it was the prerogative of the king alone to pardon treason, or to alienate lands annexed to the crown, obtained a fentence, declaring the pardon to be void, and depriving Dunbar of the earldom. Many of the great men held lands by no other right than what they derived from grants of the two dukes of Albany. Such a decision, though they had reason to expect it in consequence of the statute which the king had obtained, occasioned a general alarm. Though Dunbar was, at present

the only fufferer, the precedent might be extended, and BOOK their titles to possessions which they considered as the rewards of their valour, might be subjected to the review of courts of law, whose forms of proceeding, and jurisdiction, were in a martial age little known, and extremely odious. Terror and discontent spread fast upon this discovery of the king's intention; the common danger called on the whole order to unite, and to make one bold stand, before they were stripped successively of their acquisitions, and reduced to a state of poverty and infignificance. The prevalence of these fentiments among the nobles encouraged a few desperate men, the friends or followers of those who had been the chief fufferers under the king's administration, to form a conspiracy against his life. The first uncertain intelligence of this was brought him, while he lay in his camp before Roxburgh castle. He durst not confide in nobles, to whom he had given fo many causes of disgust, but instantly dismissed them and their vassals, and, retiring to a monastery near Perth, was foon after murdered there in the most cruel All our historians mention with astonishment this circumstance, of the king's disbanding his army at a time when it was so necessary for his preservation. A king, fay they, furrounded with his barons, is secure from secret treason, and may defy open rebellion. But those very barons were the persons whom he chiefly dreaded; and it is evident from this review of his administration, that he had greater reason to apprehend danger, than to expect defence, from their hands. It was the misfortune of James, that his maxims and manners were too refined for the age in which he lived. Happy! had he reigned in a kingdom more civilized; his love of peace, of justice, and of elegance, would have rendered his schemes successful; and instead of perishing because he had attempted too much, a grateful people would have applauded and seconded his efforts to reform and improve them.

CRICHTON, the most able man of those who had the direction of affairs during the minority of James II. had been the minister of James I. and well acquainted with his resolution of humbling the nobility. He did not relinquish the design, and he endeavoured to inspire his pupil with the same sentiments. But what James had attempted to effect slowly, and by legal means, his son and Crichton pursued with the impetuosity natural to Scotsmen, and with the sierceness peculiar to that age. William the sixth earl of Douglas was the first victim to their barbarous policy. That young nobleman (as we have already observed), contemning

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BOOK the authority of an infant prince, almost openly renounced his allegiance, and afpired to independence. Crichton, too high spirited to bear such an insult, but too weak to curb or to bring to justice so powerful an offender, decoyed him by many promises to an interview in the castle of Edinburgh, and, notwithstanding these, murdered both him and his brother. Crichton, however, gained little by this act of treachery, which rendered him univerfally odious. William the eighth earl of Douglas was no less powerful, and no less formidable to the crown. By forming the league which we already mentioned with the earl of Crawford and other barons, he had united against his sovereign almost one half of his kingdom. But his credulity led him into the fame fnare which had been fatal to the former earl. Relying on the king's promifes, who had now attained to the years of manhood, and having obtained a fafe-conduct under the great feal, he ventured to meet him in Stirling caftle. James urged him to dissolve that dangerous confederacy into which he had entered; the earl obstinately refused; " if you will not;" faid that enraged monarch, drawing his dagger, "this shall;" and stabbed him to the heart. An action fo unworthy of a king filled the nation with aftonishment and with horror. The earl's vaffals ran to arms with the utmost fury, and dragging the safe-conduct, which the king had granted and violated, at a horse's tail, they marched towards Stirling, burnt the town, and threatened to besiege An accommodation, however, enfued; on what the castle. terms is not known. But the king's jealoufy, and the new earl's power and refentment, prevented it from being of long continuance. Both took the field at the head of their armies, and met near Abercorn. That of the earl, composed chiefly of borderers, was far superior to the king's both in number and in valour; and a fingle battle must, in all probability, have decided whether the house of Stuart or of Douglas was henceforth to possess the throne of Scotland. But, while his troops impatiently expected the fignal to engage, the earl ordered them to retire to their camp; and Sir James Hamilton of Cadyow, the person in whom he placed the greatest confidence, convinced of his want of genius to improve an opportunity, or of his want of courage to feize a crown, deferted him that very night. This example was followed by many; and the earl, despised or forfaken by all, was foon driven out of the kingdom, and obliged to depend for his subsistence on the friendship of the king of England. The ruin of his great family, which had fo long rivalled and overawed the crown, and the terror with which fuch

fuch an example of unfuccefsful ambition filled the nobles, BOOK fecured the king, for some time, from opposition; and the royal authority remained uncontrolled and almost absolute. James did not suffer this favourable interval to pass unimproved; he procured the consent of parliament to laws more advantageous to the prerogative, and more subversive of the privileges of the aristocracy, than were ever obtained by any former or subsequent monarch of Scotland.

By one of these, not only all the vast possessions of the earl of Douglas were annexed to the crown, but all prior and future alienations of crown lands were declared to be void, and the king was impowered to seize them at pleasure, without any process or form of law, and oblige the possessions to refund whatever they had received from them. A dreadful instrument of oppression in the hands of a prince!

ANOTHER law prohibited the wardenship of the marches to be granted hereditarily; restrained, in several instances, the jurisdiction of that office; and extended the authority of the king's courts ".

By a third, it was enacted that no Regality, or exclusive right of administering justice within a man's own lands, should be granted in time to come, without the confent of parliament \*; a condition which implied almost an express prohibition. Those nobles who already possessed that great privilege, would naturally be folicitous to prevent it from becoming common, by being bestowed on many. Those who had not themselves attained it, would envy others the acquisition of such a flattering distinction, and both would concur in rejecting the claims of new pretenders.

By a fourth act, all new grants of hereditary offices were prohibited, and those obtained fince the death of the last

EACH of these statutes undermined some of the great pillars on which the power of the aristocracy rested. During the remainder of his reign, this prince pursued the plan which he had begun with the utmost vigour; and had not a sudden death, occasioned by the splinter of a cannon which burst near him at the siege of Roxburgh, prevented his progress, he wanted neither genius nor courage to perfect it: and Scotland might, in all probability, have been the first kingdom in Europe which would have seen the subversion of the seudal system.

JAMES III. discovered no less eagerness than his father or James III. grandfather to humble the nobility; but far inferior to Vol. I.

Ad 41. P. 1455. " Ibid. Ad 42. \* Ibid. Ad 43. Y Ad 44.

BOOK I.

either of them in abilities and address, he adopted a plan extremely impolitic, and his reign was difastrous, as well as his end tragical. Under the feudal government, the nobles were not only the king's ministers, and possessed of all the great offices of power or of trust; they were likewise his companions and favourites, and hardly any but them approached his person, or were entitled to his regard. But James, who both feared and hated his nobles, kept them at an unufual distance, and bestowed every mark of confidence and affection upon a few mean persons, of professions so dishonourable as ought to have rendered them unworthy of his presence. Shut up with these in his castle of Stirling, he feldom appeared in public, and amused himself in architecture, music, and other arts which were then little esteemed. The nobles beheld the power and favour of these minions with indignation. Even the fanguinary measures of his father provoked them less than his neglect. Individuals alone suffered by the former; by the latter, every man thought himself injured, because all were contemned. Their discontent was much heightened by the king's recalling all rights to crown lands, hereditary offices, regalities, and every other concession which was detrimental to his prerogative, and which had been extorted during his minority. Combinations among themselves, secret intrigues with England, and all the usual preparatives for civil war, were the effects of their resentment. Alexander duke of Albany, and John earl of Mar, the king's brothers, two young men of turbulent and ambitious spirits, and incensed against James, who treated them with the same coldness as he did the other great men, entered deeply into all their cabals. The king detected their defigns before they were ripe for execution, and, feizing his two brothers, committed the duke of Albany to Edinburgh castle. The earl of Mar having remonstrated with too much boldness against the king's conduct, was murdered, if we may believe our historians, by his command. Albany, apprehensive of the same fate, made his escape out of the castle, and sled into France. Concern for the king's honour, or indignation at his measures, were perhaps the motives which first induced him to join the malecontents. But James's attachment to favourites rendering him every day more odious to the nobles, the prospect of the advantages which might be derived from their general difaffection, added to the refentment which he felt on account of his brother's death and his own injuries, foon inspired Albany with more ambitious and criminal thoughts. He concluded a treaty with Edward IV.

of England, in which he affumed the name of Alexander BOOK king of Scots; and in return for the affiltance which was promifed him towards dethroning his brother, he bound himself, as soon as he was put in possession of the kingdom, to fwear fealty and do homage to the English monarch, to renounce the ancient alliance with France, to contract a new one with England, and to furrender some of the strongest castles and most valuable counties in Scotland 2. That aid, which the duke fo basely purchased at the price of his own honour and the independence of his country, was punctually granted him, and the duke of Gloucester with a powerful army conducted him towards Scotland. The danger of a foreign invasion obliged James to implore the affiftance of those nobles whom he had so long treated with contempt. Some of them were in close confederacy with the duke of Albany, and approved of all his pretentions. Others were impatient for any event which would restore their order to its ancient pre-eminence. They feemed, however, to enter with zeal into the measures of their fovereign for the defence of the kingdom against its invaders, and took the field at the head of a powerful army of their followers, but with a stronger disposition to redress their own grievances than to annoy the enemy; and with a fixed resolution of punishing those minions whose insolence they could no longer tolerate. This resolution they executed in the camp near Lauder, with a military dispatch and rigour. Having previously concerted their plan, the earls of Angus, Huntly, Lennox, followed by almost all the barons of chief note in the army, forcibly entered the apartment of their fovereign, seized all his favourites except one Ramfay, whom they could not tear from the king, in whose arms he took shelter, and, without any form of trial, hanged them instantly over a bridge. Among the most remarkable of those who had engrossed the king's affection, were Cochran a mason, Hommil a taylor, Leonard a smith, Rogers a musician, and Torsifan a fencing-master. So despicable a retinue discovers the capriciousness of James's character, and accounts for the indignation of the nobles, when they beheld the favour due to them, bestowed on such unworthy objects.

JAMES had no reason to confide in an army so little under his command, and, dismissing it, shut himself up in the castle of Edinburgh. After various intrigues, Albany's lands and honours were at length restored to him, and he

Aberc. Mart. Atch. v. ii. p. 443- Black Acts, fol. 65.

BOOK feemed even to have regained his brother's favour by some important fervices. But their friendship was not of long duration. James abandoned himself once more to the guidance of favourites; and the fate of those who had suf-fered at Lauder did not deter others from courting that dangerous pre-eminence. Albany, on pretext that an attempt had been made to take away his life by poison, fled from court, and, retiring to his castle of Dunbar, drew thither a greater number of barons than attended on the king himself. At the same time he renewed his former confederacy with Edward; the earl of Angus openly negociated that infamous treaty; other barons were ready to concur with it; and if the fudden death of Edward had not prevented Albany's receiving any aid fron England, the crown of Scotland would probably have been the reward of this unworthy combination with the enemies of his country. But, instead of any hopes of reigning in Scotland, he found, upon the death of Edward, that he could not refide there in fafety; and, flying first to England and then to France, he seems from that time to have taken no part in the affairs of his native country. Emboldened by his retreat, the king and his ministers multiplied the infults which they offered to the nobility. A flanding guard, a thing unknown under the feudal governments, and inconfistent with the familiarity and confidence with which monarchs then lived amidst their nobles, was raised for the king's defence, and the command of it given to Ramfay, lately created earl of Bothwell, the fame person who had so narrowly escaped when his companions were put to death at Lauder. As if this precaution had not been sufficient, a proclamation was issued, forbidding any person to appear in arms within the precincts of the court b; which, at a time when no man of rank left his own house without a numerous retinue of armed followers, was, in effect, debarring the nobles from all access to the king. James at the fame time became fonder of retirement than ever, and, funk in indolence or superstition, or attentive only to amusements, devolved his whole authority upon his favourites. So many injuries provoked the most considerable nobles to take arms, and having perfuaded or obliged the duke of Rothefay, the king's eldest fon, a youth of fifteen, to fet himself at their head, they openly declared their intention of depriving James of a crown of which he had difcovered himself to be so unworthy. Roused by this danger, the king quitted his retirement, took the field, and encountered

tered them near Bannockburn; but the valour of the Bor- BOOK derers, of whom the army of the malecontents was chiefly composed, soon put his troops to flight, and he himself was flain in the pursuit. Suspicion, indolence, immoderate attachment to favourites, and all the vices of a feeble mind, are visible in his whole conduct; but the character of a cruel and unrelenting tyrant feems to be unjustly affixed to him by our historians. His neglect of the nobles irritated, but did not weaken them; and their discontent, the immoderate ambition of his two brothers, and their unnatural confederacies with England, were fufficient to have disturbed a more vigorous administration, and to have rendered a prince of superior talents unhappy.

THE indignation which many persons of rank expressed against the conduct of the conspirators, together with the terror of the fentence of excommunication which the pope pronounced against them, obliged them to use their victory with great moderation and humanity. Being conscious how detestable the crime of imbruing their hands in the blood of their fovereign appeared, they endeavoured to regain the good opinion of their countrymen, and to atone for the treatment of the father, by their loyalty and duty towards the fon. They placed him instantly on the throne, and the whole kingdom foon united in acknowledging his

authority.

JAMES IV. was naturally generous and brave; he felt, in James IV. an high degree, all the passions which animate a young and noble mind. He loved magnificence, he delighted in war, and was eager to obtain fame. During his reign the ancient and hereditary enmity between the king and nobles feems almost entirely to have ceased. He envied not their splendor, because it contributed to the ornament of his court; nor did he dread their power, which he confidered as the fecurity of his kingdom, not as an object of terror to himself. This considence on his part met with the proper return of duty and affection on theirs; and, in his war with England, he experienced how much a king beloved by his nobles is able to perform. Though the ardour of his courage and the fpirit of chivalry, rather than the prospect of any national advantage, were the motives of that expedition, fuch was the zeal of his subjects for the king's glory, that he was followed by as gallant an army as ever any of his ancestors had led upon English ground. But though James himself formed no scheme dangerous or detrimental to the aristocracy, his reign was distinguished by an event extremely fatal to it; and one accidental blow humbled it more than

I. rash and unfortunate battle of Flowden, a brave nobility chose rather to die than to desert their sovereign. Twelve earls, thirteen lords, five eldest sons of noblemen, and an incredible number of barons, fell with the king. The whole body of the nobles long and sensibly felt this disaster; and if a prince of full age had then ascended the throne, their consternation and seebleness would have afforded him

advantages which no former monarch ever possessed.

James V.

BUT James V. who succeeded his father, was an infant of a year old; and though the office of regent was conferred upon his coufin the duke of Albany, a man of genius and enterprise, a native of France, and accustomed to a government where the power of the king was already great; though he made many bold attempts to extend the royal authority; though he put to death lord Home, and banished the earl of Angus, the two noblemen of greatest influence in the kingdom, the aristocracy lost no ground under his administration. A stranger to the manners, the laws, and the language of the people whom he was called to rule, he acted, on fome occasions, rather like a viceroy of the French king, than the governor of Scotland; but the nobles afferted their own privileges, and contended for the interest of their country with a boldness which convinced him of their independence, and of the impotence of his own authority. After feveral unfuccefsful struggles, he voluntarily retired to France; and the king being then in his thirteenth year, the nobles agreed that he should assume the government, and that eight persons should be appointed to attend him by turns, and to advise and affift him in the administration of public affairs. The earl of Angus, who was one of that number, did not long remain fatisfied with fuch divided power. He gained fome of his colleagues, removed others, and intimidated the rest. When the term of his attendance expired, he still retained authority, to which all were obliged to fubmit, because none of them was in a condition to dispute The affection of the young king was the only thing wanting, to fix and perpetuate his power. But an active and high-spirit prince submitted, with great impatience, to the restraint in which he was kept. It ill suited his years, or disposition, to be confined as a prisoner within his own palace; to be treated with no respect, and to be deprived of all power. He could not, on some occasions, conceal his refentment and indignation. Angus foresaw that he had much

much to dread from these; and as he could not gain the BOOK king's heart, he refolved to make fure of his person. James was continually furrounded by the earl's spies and confidents; many eyes watched all his motions, and observed every step he took. But the king's eagerness to obtain li-berty eluded all their vigilance. He escaped from Falkland and fled to the castle of Stirling, the residence of the queen his mother, and the only place of strength in the kingdom which was not in the hand of the Douglases. The nobles, of whom fome were influenced by their hatred to Angus, and others by the respect for the king, crowded to Stirling, and his court was foon filled with persons of the greatest distinction. The earl, though astonished at this unexpected revolution, resolved at first to make one bold push for recovering his authority, by marching to Stirling at the head of his followers; but he wanted either courage or strength to execute this resolution. In a parliament held soon after, he and his adherents were attainted, and after escaping from many dangers, and enduring much mifery, he was at length obliged to fly into England for refuge.

JAMES had now not only the name, but, though extremely young, the full authority of a king. He was inferior to no prince of that age in gracefulness of person or in vigour of mind. His understanding was good, and his heart warm; the former capable of great improvement, and the latter fusceptible of the best impressions. But, according to the usual fate of princes who are called to the throne in their infancy, his education had been neglected. His private preceptors were more ready to flatter than to instruct him, It was the interest of those who governed the kingdom, to prevent him from knowing too much. The earl of Angus, in order to divert him from business, gave him an early tafte for fuch pleasures as afterwards occupied and engroffed him more than became a king. Accordingly we discover in James all the features of a great but uncultivated spirit. On the one hand, violent passions, implacable refentment, an immoderate defire of power, and the utmost rage at disappointment. On the other, love to his people, zeal for the punishment of private oppressors, confidence in his favourites, and the most engaging openness and affability of behaviour.

What he himself had suffered from the exorbitant power of the nobles, led him early to imitate his predecessors in their attempts to humble them. The plan he formed for that purpose was more profound, more systematic, and pursued with greater constancy and steadiness, than that of any of

B O'O'K his ancestors, and the influence of the events in his reign upon those of the subsequent period render it necessary to explain his conduct at greater length, and to enter into a more minute detail of his actions. He had penetration enough to discover those defects in the schemes adopted by former kings, which occasioned their miscarriage. The example of James I. had taught him, that wife laws operate flowly on a rude people, and that the fierce spirit of the feudal nobles was not to be subdued by these alone. The effects of the violent measures of James II. convinced him, that the oppression of one great family is apt either to excite the fuspicion and refentment of the other nobles, or to enrich with its fpoils fome new family, which would foon adopt the fame fentiments, and become equally formidable to the crown. He faw, from the fatal end of James III. that neglect was still more intolerable to the nobles than oppression, and that the ministry of new men and favourites was both dishonourable and dangerous to a prince. At the fame time he felt that the authority of the crown was not fufficient to counterbalance the power of the aristocracy, and that without some new accession of strength he could expect no better success in the struggle than his ancestors. In this extremity he applied himself to the clergy, hoping that they would both relish his plan, and concur, with all their influence, in enabling him to put it in execution. Under the feudal government the church, being reckoned a third estate, had its reprefentatives in parliament; the number of these was confiderable; and they possessed great influence in that affembly. The superstition of former kings, and the zeal of many ages of ignorance, had bestowed on ecclesiastics a great proportion of the national wealth; and the authority which they acquired by the reverence of the people, was fuperior even to that which they derived from their riches. This powerful body, however, depended entirely on the crown. The popes, notwithstanding their attention to extend their usurpations, had neglected Scotland as a distant and poor kingdom; and permitted its kings to exercise powers which they disputed with more considerable princes. The Scottish monarchs had the sole right of nomination to vacant bishopries and abbeys d; and James naturally concluded, that men who expected preferment from his favour, would be willing to merit it, by promoting his defigns. Happily for him, the nobles had not yet recovered the blow which fell on their order at Flowden, and if we may judge

d Epist. Reg. Scot. 1. 197, &c. Act 125. P. 1540.

either from their conduct, or from the character given of BOOK them by Sir Ralph Sadler, the English envoy in Scotland, they were men of little genius, of no experience in business, and incapable of acting either with unanimity, or with vigour. Many of the clergy, on the other hand, were diftinguished by their great abilities, and no less by their ambition. Various causes of disgust had arisen between them and the nobles, who defpifed their character, and envied their power or their wealth. By acting in concert with the king, they not only would gratify him, but avenge themfelves, and hoped to aggrandize their own order, by depressing those who were their sole rivals. Secure of so powerful a concurrence, James ventured to proceed with greater boldness. In the first heat of resentment, he had driven the earl of Angus out of the kingdom; and, fenfible that a person so far superior to the other nobles in abilities, might create many obstacles which would retard or render ineffectual all its schemes, he solemnly swore, that he would never permit him to return into Scotland; and, notwithstanding the repeated folicitations of the king of England, he adhered to his vow with unrelenting obstinacy. He then proceeded to repair the fortifications of Edinburgh, Stifling, and other caftles, and to fill his magazines with arms and ammunition. Having taken these precautions by way of defence, he began to treat the nobility with the utmost coldness and referve. Those offices, which they were apt, from long possesfion, to confider as appropriated to their order, were now bestowed on ecclesiastics, who alone possessed the king's ear, and, together with a few gentlemen of inferior rank, to whom he had communicated his schemes, were intrusted with the management of all public affairs. These ministers were chosen with judgment; and cardinal Beatoun, who foon became the most eminent among them, was a man of superior genius. They ferved the king with fidelity, they carried on his measures with vigour, with reputation, and with success. James no longer concealed his distrust of the nobles, and fuffered no opportunity of mortifying them to escape. Slight offences were aggravated into real crimes, and punished with severity. Every accusation against persons of rank was heard with pleasure, every appearance of guilt was examined with rigour, and every trial proved fatal to those who were accused: The banishing Hepburn earl of Bothwell for reasons extremely frivolous, beheading the eldest son of lord Forbes without fufficient evidence of his guilt, and the condemning lady Glamis, a fifter of the earl of Angus, to he burnt for the crime of witchcraft, of which even that credulous

I. the king's hatred of the nobility, of the feverity of his government, and of the stretches he made towards absolute power. By these acts of authority, he tried the spirit of the nobles, and how much they were willing to bear. Their patience increased his contempt for them, and added to the ardour and boldness with which he pursued his plan. Meanwhile they observed the tendency of his schemes with concern and with resentment; but the king's sagacity, the vigilance of his ministers, and the want of a proper leader, made it dangerous to concert any measures for their defence, and impossible to act with becoming vigour. James and his counsellors, by a false step which they took, presented to them, at length, an advantage which they did not fail to

improve.

Motives, which are well known, had prompted Henry VIII. to disclaim the pope's authority, and to feize the revenues of the regular clergy. His fystem of reformation fatisfied none of his subjects. Some were enraged because he had proceeded so far, others murmured because he proceeded no farther. By his imperious temper, and alternate persecutions of the zealots for popery, and the converts to the protestant opinions, he was equally formidable to both. Henry was afraid that this general diffatiffaction of his people might encourage his enemies on the continent to invade his kingdom. He knew that both the pope and the emperor courted the friendship of the king of Scots, and endeavoured to engage him in an alliance against England. He refolved, therefore, to disappoint the effects of their negociations, by entering into a closer union with his nephew. In order to accomplish this, he transmitted to James an elaborate memorial, representing the numerous encroachments of the fee of Rome upon the rights of fovereigns e; and that he might induce him more certainly to adopt the fame measures for abolishing papal usurpation, which had proved fo efficacious in England, he fent ambaffadors into Scotland, to propose a personal interview with him at York. It was plainly James's interest to accept this invitation; the assistance of so powerful an ally, the high honours which were promifed him, and the liberal subfidies he might have obtained, would have added no little dignity to his domestic government, and must have greatly facilitated the execution of his favourite plan. On the other hand, a war with England, which he had reason to apprehend, if he rejected

Strype, Ecclef. Mem. I. App. 155.

rejected Henry's offers of friendship, was inconsistent with Book all his views. This would bring him to depend on his barons; 1. an army could not be raifed without their affiftance: to call nobles incenfed against their prince into the field, was to unite his enemies, to make them sensible of their own strength, and to afford them an opportunity of revenging their wrongs. James, who was not ignorant that all these consequences might follow a breach with England, liftened at first to Henry's propofal, and confented to the interview at York. But the clergy dreaded an union, which must have been established on the ruins of the church. Henry had taken great pains to infuse into his nephew his own sentiments concerning religion, and had frequently folicited him, by ambaffadors, to renounce the usurped dominion of the pope, which was no less dishonourable to princes than grievous to their subjects. The clergy had hitherto, with great address, diverted the king from regarding these solicitations. But, in an amicable conference, Henry expected, and they feared, that James would yield to his intreaties, or be convinced by his arguments. They knew that the revenues of the church were an alluring object to a prince who wanted money, and who loved it; that the pride and ambition of ecclefiaftics raifed the indignation of the nobles; that their indecent lives gave offence to the people; that the protestant opinions were spreading fast throughout the nation; and that an univerfal defection from the established church would be the consequence of giving the smallest degree of encouragement to these principles. For these reasons, they employed all their credit with the king, and had recourse to every artifice and infinuation, in order to divert him from a journey, which must have been so fatal to their interest. They endeavoured to inspire him with fear, by magnifying the danger to which he would expose his person, by venturing fo far into England, without any fecurity but the word of a prince, who having violated every thing venerable and facred in religion, was no longer to be trufted; and by way of compensation for the sums which he might have received from Henry, they offered an annual donative of fifty thousand crowns; they promifed to contribute liberally towards carrying on a war with England, and flattered him with the prospect of immense riches, arising from the forfeiture of persons who were to be tried and condemned as heretics. Influenced by these considerations, James broke his agreement with Henry, who, in expectation of meeting him, had already come to York; and that haughty and impatient monarch refented the affront by declaring war against Scot-

kingdom.

BOOK land. His army was foon ready to invade the kingdom. James was obliged to have recourse to the nobles, for the defence of his dominions. At his command, they affembled their followers; but with the fame dispositions which had animated their ancestors in the reign of James III. and with a full resolution of imitating their example, by punishing those to whom they imputed the grievances of which they had reason to complain; and if the king's ministers had not been men of abilities, superior to those of James III. and of considerable interest even with their enemies, who could not agree among themselves what victims to sacrifice, the camp of Fala would have been as remarkable as that of Lauder, for the daring encroachments of the nobility on the prerogative of the prince. But though his ministers were faved by this accident, the nobles had foon another opportunity of discovering to the king their distatisfaction with his government, and their contempt of his authority. Scarcity of provisions, and the rigour of the season, having obliged the English army, which had invaded Scotland, to retire, James imagined that he could attack them, with great advantage, in their retreat; but the principal barons, with an obstinacy and disdain which greatly aggravated their disobedience, refused to advance a step beyond the limits of their own country. Provoked by this infult to himself, and fuspicious of a new conspiracy against his ministers, the king instantly disbanded an army which paid so little regard to his orders, and returned abruptly into the heart of the

> An ambitious and high-spirited prince could not brook fuch a mortifying affront. His hopes of fuccess had been rash, and his despair upon a disappointment was excellive. He felt himself engaged in an unnecessary war with England, which, instead of yielding him the laurels and triumphs that he expected, had begun with fuch circumstances, as encouraged the infolence of his subjects, and exposed him to the scorn of his enemies. He faw how vain and ineffectual all his projects to humble the nobles had been, and that, though in times of peace a prince may endeavour to depress them, they will rise, during war, to their former importance and dignity. Impatience, refentment, indignation, filled his bosom by turns. The violence of these passions altered his temper, and, perhaps, impaired his reason. He became pensive, fullen, and retired. He feemed, through the day, to be swallowed up in profound meditation, and, through the night, he was disturbed with those visionary terrors which make impression upon a weak understanding only, or a disordered fancy. In

> > order

order to revive the king's spirits, an inroad on the western BOOK borders was concerted by his ministers, who prevailed upon the barons in the neighbouring provinces to raife as many troops as were thought necessary, and to enter the enemy's country. But nothing could remove the king's aversion to his nobility, or diminish his jealousy of their power. He would not even entrust them with the command of the forces which they had affembled; that was referved for Oliver Sinclair his favourite, who no fooner appeared to take poffession of the dignity conferred upon him, than rage and indignation occasioned an universal mutiny in the army. Five hundred English, who happened to be drawn up in fight, attacked the Scots in this diforder. Hatred to the king, and contempt of their general, produced an effect to which there is no parallel in history. They overcame the fear of death and the love of liberty; and ten thousand men fled before a number fo far inferior, without striking a single blow. No man was desirous of a victory, which would have been acceptable to the king, and to his favourite; few endeavoured to fave themselves by flight; the English had the choice of what prisoners they pleased to take; and almost every person of distinction, who was engaged in the expedition, remained in their hands f. This astonishing event was a new proof to the king of the general difaffection of the nobility, and a new discovery of his own weakness and want of authority. Incapable of bearing those repeated infults, he found himself unable to revenge them. The deepest melancholy and defpair fucceeded to the furious transports of rage, which the first account of the route of his army occasioned. All the violent passions, which are the enemiesof life, preyed upon his mind, and wasted and consumed a youthful and vigorous constitution. Some authors of that age impute his untimely death to poison; but the diseases of the mind, when they rife to an height, are often mortal; and the known effects of disappointment, anger, and resentment, upon a fanguine and inpetuous temper, fufficiently account for his unhappy fate. "His death (fays Drummond) proveth his mind to have been raised to an high strain, and above mediocrity; he could die, but could not digest a disaster." Had James survived this missortune, one of two things must have happened: either the violence of his temper would have engaged him openly to attack the

According to an account of this event in the Hamilton MSS. about thirty were killed, above a thousand were taken prisoners, and among them a hundred and sixty persons of condition, Vol. ii. 286. The small number of the English prevented their taking more prisoners.

BOOK nobles, who would have found in Henry a willing and powerful protector, and have derived the same affistance from him, which the malecontents in the fucceeding reign did from his daughter Elizabeth; in that case, a dangerous civil war must have been the certain consequence. Or, perhaps, necellity might have obliged him to accept of Henry's offers, and be reconciled to his nobility. In that event the church would have fallen a facrifice to their union; a Reformation, upon Henry's plan, would have been established by law; a great part of the temporalties of the church would have been feized; and the friendship of the king and barons would have been cemented by dividing its spoils.

Such were the efforts of our kings towards reducing the exorbitant power of the nobles. If they were not attended with fuccess, we must not for that reason conclude that they were not conducted with prudence. Every circumstance feems to have combined against the crown. Accidental events concurred with political causes, in rendering the best concerted measures abortive. The affassination of one king, the fudden death of another, and the fatal despair of a third, contributed no less than its own natural strength, to preserve

AMIDST these struggles, the influence which our kings

the aristocracy from ruin.

possessed in their parliaments, is a circumstance seemingly inexplicable, and which merits particular attention. these assemblies were composed chiefly of the nobles, they, we are apt to imagine, must have dictated all their decisions; The extra- but, instead of this, every king found them obsequious to ordinary in- his will, and obtained fuch laws as he deemed necessary for the Scottish extending his authority. All things were conducted there with difpatch and unanimity; and in none of our historians parliament. do we find an instance of any opposition formed against the court in parliament, or mention of any difficulty in carrying through the measures which were agreeable to the king. In

order to account for this fingular fact, it is necessary to in-

The reafons of it.

quire into the origin and constitution of parliament. THE genius of the feudal government, uniform in all its operations, produced the same effects in small as in great focieties; and the territory of a baron was, in miniature, the model of a kingdom. He possessed the right of jurisdiction, but those who depended on him being free men, and not flaves, could be tried by their peers only; and, therefore, his vasfals were bound to attend his courts, and to assist both in paffing and executing his fentences. When affembled on these occasions, they established, by mutual consent, such regulations as tended to the welfare of their small society; and

often granted, voluntarily, fuch supplies to their Superior, as E O O K his necessities required. Change now a single name: in place of baron, substitute king, and we behold a parliament in its first rudiments, and observe the first exertions of those powers, which its members now possess as judges, as legislators, and as dispensers of the public revenues. Suitable to this idea are the appellations of the King's Court's, and of the King's Great Council, by which par-liaments were anciently distinguished; and suitable to this, likewise, were the constituent members of which it was composed. In all the feudal kingdoms, fuch as held the king in chief were bound, by the condition of their tenure, to attend and to affift in his courts. Nor was this esteemed a privilege, but a service h. It was exacted likewise of bishops, abbots, and the great ecclesiastics, who, holding vast possessions of the crown, were deemed fubject of the same burden. Parliaments did not continue long in this state. Cities gradually acquired wealth, a confiderable share of the public taxes were levied on them, the inhabitants grew into estimation, and, being enfranchised by the fovereign, a place in parliament was the consequence of their liberty, and of their importance. But as it would have been abfurd to confer fuch a privilege, or to impose such a burden on a whole community, every borough was permitted to chuse one or two of its citizens to appear in the name of the corporation; and the idea of representation was first introduced in this manner. An innovation still more important naturally followed. The vaffals of the crown were originally few in number, and extremely powerful; but as it is impossible to render property fixed and permanent, many of their possessions came, gradually, and by various methods of alienation, to be split and parcelled out into different hands. Hence arose the distinction between the Greater and the Leffer Barons. The former were those who retained their original fiefs undivided, the latter were the new and less potent vaffals of the crown. Both were bound, however, to perform all feudal fervices, and, of confequence, to give attendance in parliament. To the leffer barons, who formed no inconfiderable body, this was an intolerable grievance. Barons fometimes denied their tenure, boroughs renounced their right of electing, charters were obtained containing an exemption from attendance; and the anxiety with which our ancestors endeavoured to get free from the obligation of fitting in parliament, is surpassed by that only with.

Du Cange, voc. Curia.

h Id. voc. Placitum, col. 519. Magna Charta, art. 14. Act. Jac. I. 1425. cap. 52.

BOOK with which their posterity solicit to be admitted there. In order to acommodate both parties, at once, to fecure to the king a fufficient number of members in his great council, and to fave his vaffals from an unnecessary burden, an easy expedient was found out. The obligation to perfonal attendance was continued upon the greater barons, from which the leffer barons were exempted, on condition of their electing, in each county, a certain number of representatives, to appear in their name. Thus a parliament became complete in all its members, and was composed of lords spiritual and temporal, of knights of the shires, and of burgesses. many causes contributed to bring government earlier to perfection in England than in Scotland; as the rigour of the feudal institutions abated sooners and its defects were supplied with greater facility in the one kingdom than in the other; England led the way in all these changes, and burgeffes and knights of the shire appeared in the parliaments of that nation, before they were heard of in ours. Burgesses were first admitted into the Scottish parliaments A.D. 1326. by Robert Bruce; and in the preamble to the laws of Robert III. they are ranked among the constituent members of the affembly. The leffer barons were indebted to James I. 1427. for a statute exempting them from personal attendance, and

A Scottish parliament, then, confifted anciently of great barons, of ecclefiaftics, and a few representatives of boroughs. Nor were these divided, as in England, into two houses, but composed one assembly, in which the lord chancellor presided. In rude ages, when the science of government was extremely impersect among a martial people, unacquainted with the arts of peace, strangers to the talents which

permitting them to elect representatives: the exemption was eagerly laid hold on; but the privilege was so little valued, that, except one or two instances, it lay neglected during one hundred and fixty years; and James IV. first obliged them

\* Abercromby, i. 635.

Essays on Brit. Antiq. Ess. II. Dalrymp. Hist. of Feud. Prop. ch. 8.

In England, the peers and commons seem early to have met in separate houses; and James I. who was fond of imitating the English in all their customs, had probably an intention of introducing some considerable distinction between the greater and lesser barons in Scotland; at least he determined that their consultations should not be carried on under the direction of the same president; for by his law, A. D. 1327, it is provided, "that out of the commissioners of all the shires shall be chosen a wise and expert man, called the common speaker of the parliament, who shall propose all and sundry needs and causes pertaining to the commons in the parliament or general council." No such speaker, it would seem, was ever chosen; and by a subsequent law the chancellor was declared perpetual president of parliament.

which make a figure in debate, and despising them, parlia- B O O K ments were not held in the same estimation as at present; nor did haughty barons love those courts, in which they appeared with fuch evident marks of inferiority. Parliaments were often haftily affembled, and it was, probably, in the king's power, by the manner in which he issued his write for that purpose, to exclude such as were averse to his meafures. At a time when deeds of violence were common, and the restraints of law and decency were little regarded, no man could venture with fafety to oppose the king in his own court. The great barons, or lords of parliament, were extremely few; even so late as the beginning of the reign of James VI." they amounted only to fifty-three. The ecclesiastics equalled them in number, and being devoted implicitly to the crown, for reasons which have been already explained, rendered all hopes of victory in any struggle defperate. Nor were the nobles themselves so anxious as might be imagined, to prevent acts of parliament favourable to the royal prerogative; conscious of their own strength, and of the king's inability to carry these acts into execution without their concurrence, they trufted either to elude or to contemn them; and the statute revoking the king's property, and annexing alienated jurifdictions to the crown, repeated in every reign, and violated and despised as often, is a standing proof of the impotence of laws, when opposed to power. So many concurring causes are sufficient, perhaps, to account for the afcendant which our kings acquired in parliament. But, without having recourse to any of these, a single circumstance, peculiar to the constitution of the Scottish parliament, the mentioning of which we have hitherto avoided, will abundantly explain this fact, feemingly fo repugnant to all our reasonings concerning the weakness of the king, and the power of the nobles.

As far back as our records enable us to trace the conftitution of our parliaments, we find a committee, diftinguished by the name of Lords of Articles. It was their business to prepare and to digest all matters which were to be laid before the parliament. There was rarely any business introduced into parliament, but what had passed through the channel of this committee; every motion for a new law was first made there, and approved of, or rejected by the members of it; what they approved was formed into a bill, and presented to parliament; and it seems probable, that what they rejected could not be introduced into the house. This committee owed the extraordinary powers vested in it, to

Vol. I.

BOOK the military genius of the ancient nobles; too impatient to fubmit to the drudgery of civil business, too impetuous to observe the forms, or to enter into the details necessary in conducting it, they were glad to lay that burden upon a fmall number, while they themselves had no other labour than fimply to give, or to refuse, their affent to the bills which were presented to them. The lords of articles, then, not only directed all the proceedings of parliament, but poffessed a negative before debate. That committee was chosen and constituted in such a manner, as put this valuable privilege entirely in the king's hands. It is extremely probable, that our kings once had the fole right of nominating the lords of articles n. They came afterwards to be elected by the parliament, and confifted of an equal number out of each estate, and most commonly of eight temporal and eight fpiritual lords, of eight reprefentatives of boroughs, and of the eight great officers of the crown. Of this body, the eight ecclefiaftics, together with the officers of the crown, were entirely at the king's devotion, and it was scarce posfible that the choice could fall on fuch temporal lords and burgesses as would unite in opposition to his measures. Capable either of influencing their election, or of gaining them when elected, the king commonly found the lords of articles no less obsequious to his will, than his own privy council, and, by means of his authority with them, he could put a negative upon his parliament before debate, as well as after it; and what may feem altogether incredible, the most limited prince in Europe actually possessed, in one instance, a prerogative which the most absolute could never attain o.

" It appears from authentic records, that a parliament was appointed to be held March 12, 1566, and that the lords of articles were chosen and met on the 7th, five days before the assembling of parliament. If they could be regularly elected so long before the meeting of parliament, it is natural to conclude, that the prince alone possessed the right of electing them. There are two different accounts of the manner of their election at that time, one by Mary herself, in a letter to the archbishop of Glasgow: "We, accommon panied with our nobility for the time, past to the Tolbooth of Edinburgh, for holding of our parliament on the 7th day of this instant, and elected the lords articulars." If we explain these words, according to the strict grammar, we must conclude that the queen herself elected them. It is, however, more probable that Mary meant to say, that the nobles then present with her, viz. her privy counsellors, and others, elected the lords of articles. Keith's Hist. of Scotland, p. 331. The other account is Lord Ruthven's, who expressly affirms that the queen herself elected them. Keith's Append. 126. Whether we embrace the one or the other of these opinions, is of no consequence. If the privy counsellors and nobles attending the court had a right to elect the lords of articles, it was equally advantageous for the crown, as if the prince had had the sole nomination of them.

 Having deduced the history of the committee of lords of articles as low as the subject of this preliminary book required, it may be agreeable, perhaps, To this account of the internal constitution of Scotland, it will not be improper to add a view of the political state of Europe at that period, where the following history commences. A thorough knowledge of that general system, of State of which every kingdom in Europe forms a part, is not less requisite towards understanding the history of a nation, than an acquaintance with its peculiar government and laws. The latter may enable us to comprehend domestic occurrences and revolutions; but without the former, foreign transactions must be altogether mysterious and unintelligible. By attending to this, many dark passages in our history may be placed in a clear light; and where the bulk of historians have seen only the effect, we may be able to discover the cause.

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to some of my readers, to know the subsequent variations in this singular institution, and the political use which our kings made of these. When parliaments became more numerous, and more confiderable by the admission of the representatives of the lesser barons, the preserving their influence over the lords of articles, became, likewise, an object of greater importance to our kings. James VI. on pretence that the lords of articles could not find leifure to consider the great multitude of affairs laid before them, obtained an act, appointing four persons to be named out of each estate, who should meet twenty days before the commencement of parliament \*, to receive all supplications, &c. and rejecting what they thought frivolous, should engross in a book what they thought worthy the attention of the lords of articles. No provision is made in the act for the choice of this select body, and the king would, of course, have claimed that privilege. In 1633, when Charles I. was beginning to introduce those innovations which gave so much offence to the nation, he dreaded the opposition of his parliament, and in order to prevent that, an artisce was made use of to secure the lords of articles for the crown. The temporal peers were appointed to choose eight bishops, and the bishops eight peers; these sixteen met together, and elected eight knights of the shire, and eight burgesses, and to these the crown officers were added as usual. If we can only suppose eight persons of so numerous a body as the peers of Scotland, were become by that time attached to the court, these, it is obvious, would be the men whom the bishops would choose, and of consequence the whole lords of articles were the tools and creatures of the king. This practice, fo inconfishent with liberty, was abolished during the civil war: and the statute of James VI. was repealed. After the restoration, parliaments became more fervile than ever. What was only a temporary device, in the reign of Charles I. was then converted into a standing law. "For my part," fays the author from whom I have borrowed many of these particulars, "I " should have thought it less criminal in our restoration parliament, to have " openly bestowed upon the king a negative before debate, than in such an " underhand artificial manner to betray their constituents and the nation." Essays on Brit. Antiq. 55. It is probable, however, from a letter of Randolph's to Cecil, 10 Aug. 1560, printed in the Appendix, that this parliament had some appearance of ancient precedent to justify their unworthy conduct. Various questions concerning the constituent members of the Scottish parliament; concerning the zra at which the representatives of boroughs were introduced into that affembly; and concerning the origin and power of the committee of lords of articles, occur, and have been agitated with great warmth. Since the first publication of this work, all these disputed points have been considered with calmness and accuracy in Mr. Wright's Inquiry into the Rife and Progress of Parliament, &c. 4to Edit. p. 17, &c. \* Act 222. P. 1594.

BOOK

THE fubversion of the feudal government in France, and 1. its declention in the neighbouring kingdoms, occasioned a remarkable alteration in the political state of Europe. Kingdoms, which were inconfiderable when broken, and parcelled out among nobles, acquired firmness and strength, by being united into a regular monarchy. Kings became conscious of their own power and importance. They meditated schemes of conquest, and engaged in wars at a distance. Numerous armies were raifed, and great taxes imposed for their subsistence. Considerable bodies of infantry were kept in constant pay; that service grew to be honourable; and cavalry, in which the strength of European armies had hitherto confifted, thought proper enough for the short and voluntary excursions of barons who served at their own expence, were found to be unfit either for making or defending any important conquest.

IT was in Italy, that the powerful monarchs of France and Spain and Germany first appeared to make a trial of their new strength. The division of that country into many fmall states, the luxury of the people, and their effeminate aversion to arms, invited their more martial neighbours to an eafy prey. The Italians, who had been accustomed to. mock battles only, and to decide their interior quarrels by innocent and bloodless victories, were astonished, when the French invaded their country, at the fight of real war; and as they could not refift the torrent, they fuffered it to take its course, and to spend its rage. Intrigue and policy supplied the want of strength. Necessity and self-preservation led that ingenious people to the great fecret of modern politics, by teaching them how to balance the power of one prince, by throwing that of another into the opposite scale. By this happy device, the liberty of Italy was long preferved. The scales were poised by very skilful hands; the smallest variations were attended to, and no prince was allowed to retain any fuperiority, that could be dangerous.

A system of conduct, purfued with fo much success in Italy, was not long confined to that country of political refinement. The maxim of preferving a balance of power is founded so much upon obvious reasoning, and the situation of Europe rendered it so necessary, that it soon became a matter of chief attention to all wife politicians. Every step any prince took was observed by all his neighbours. baffadors, a kind of honourable spies, authorised by the mutual jealoufy of kings, refided almost constantly at every different court, and had it in charge to watch all its motions. Dangers were foreseen at a greater distance, and prevented

with more ease. Consederacies were formed to humble any BOOK power which rose above its due proportion. Revenge or stell-defence were no longer the only causes of hostility, it became common to take arms out of policy; and war, both in its commencement and in its operations, was more an exercise of the judgment, than of the passions of men. Almost every war in Europe became general, and the most inconsiderable states acquired importance, because they could

add weight to either scale.

FRANCIS I. who mounted the throne of France in the year one thousand five hundred and fifteen, and Charles V. who obtained the Imperial Crown in the year one thousand five hundred and nineteen, divided between them the strength and affections of all Europe. Their perpetual enmity was not owing folely either to perfonal jealoufy, or to the caprice of private passion, but was founded so much in nature and true policy, that it subsisted between their posterity for several ages. Charles succeeded to all the dominions of the house of Austria. No family had ever gained so much by wife and fortunate marriages. By acquisitions of this kind the Austrian princes rose, in a short time, from obscure counts of Hapsbourg, to be archdukes of Austria and kings of Bohemia, and were in possession of the Imperial dignity by a fort of hereditary right. Besides these territories in Germany, Charles was heir to the crown of Spain, and to all the dominions which belonged to the house of Burgundy. The Burgundian provinces engroffed, at that time, the riches and commerce of one-half of Europe; and he drew from them, on many occasions, those immense sums, which no people without trade and liberty are able to contribute. Spain furnished him a gallant and hardy infantry, to whose discipline he was indebted for all his conquests. At the same time, by the discovery of the new world, a vein of wealth was opened to him, which all the extravagance of ambition could not exhaust. These advantages rendered Charles the first prince in Europe; but he wished to be more, and openly aspired to universal monarchy. His genius was of that kind which ripens flowly, and lies long concealed; but it grew up, without observation, to an unexpected height and vigour. He possessed, in an eminent degree, the characteristic virtues of all the different races of princes to whom he was allied. In forming his schemes, he discovered all the subtlety and penetration of Ferdinand his grandfather; he purfued them with that obstinate and inflexible perseverance which has ever been peculiar to the Austrian blood; and in executing them he could employ

BOOK the magnanimity and boldness of his Burgundian ancestors. His abilities were equal to his power, and neither of them would have been inferior to his defigns, had not Providence, in pity to mankind, and in order to preferve them from the worst of all evils, Universal Monarchy, raised up Francis I. to defend the liberty of Europe. His dominions were lefs extensive, but more united, than the emperor's. His subjects were numerous, active, and warlike, lovers of glory, and lovers of their king. To Charles, power was the only object of defire, and he purfued it with an unwearied and joyless industry. Francis could mingle pleasure and elegance with his ambition; and though he neglected some advantages, which a more phlegmatic or more frugal prince would have improved, an active and intrepid courage supplied all his defects, and checked or defeated many of the emperor's defigns.

> THE rest of Europe observed all the motions of these mighty rivals with a jealous attention. On the one fide, the Italians faw the danger which threatened Christendom, and in order to avert it, had recouse to the expedient which they had often employed with fuccess. They endeavoured to divide the power of the two contending monarchs into equal scales, and, by the union of several small states, to counterpoise him whose power became too great. But what they concerted with much wisdom, they were able to execute with little vigour; and intrigue and refinement were feeble fences against the incroachments of military power.

On the other fide, Henry VIII. of England held the balance with less delicacy, but with a stronger hand. He was the third prince of the age in dignity and in power; and the advantageous fituation of his dominions, his domestic tranquillity, his immense wealth, and absolute authority, rendered him the natural guardian of the liberty of Europe. Each of the rivals courted him with emulation; he knew it to be his interest to keep the balance even, and to restrain both, by not joining entirely with either of them. But he was feldom able to reduce his ideas to practice; he was governed by caprice more than by principle; and the passions of the man were an overmatch for the maxims of the king. Vanity and refentment were the great springs of all his undertakings, and his neighbours easily found the way, by touching these, to force him upon many rash and inconsistent enterprises. His reign was a perpetual series of blunders in politics; and while he efteemed himself the wifest prince in Europe, he was a constant dupe to those who found it necesfary, and could fubmit, to flatter him.

In this lituation of Europe, Scotland, which had hitherto B o o K wasted her strength in the quarrels between France and England, emerged from her obscurity, took her station in the fystem, and began to have some influence upon the fate of distant nations. Her affistance was frequently of confequence to the contending parties, and the balance was often fo nicely adjusted, that it was in her power to make it lean to either fide. The part affigned her, at this juncture, was to divert Henry from carrying his arms into the continent. That prince having routed the French at Guinegat and invested Terouënne, France attempted to divide his forces, by engaging James IV. in that unhappy expedition which ended with his life. For the fame reason Francis encouraged and affifted the duke of Albany to ruin the family of Angus and Home, which were in the interest of England, and would willingly have perfuaded the Scots to revenge the death of their king, and to enter into a new war with that kingdom. Henry and Francis having united not long after against the emperor, it was the interest of both kings, that the Scots should continue inactive; and a long tranquillity was the effect of their union. Charles endeavoured to break this, and to embarrass Henry by another inroad of the Scots. For this end he made great advances to James V. flattering the vanity of the young monarch, by electing him a knight of the Golden Fleece, and by offering him a match in the Imperial family; while, in return for these empty honours, he demanded of him to renounce his alliance with France, and to declare war against England. But James, who had much to lofe, and who could gain little by clofing with the emperor's proposals, rejected them with decency, and keeping firm to his ancient allies, left Henry at full liberty to act upon the continent with his whole strength.

Henry himself began his reign by imitating the example of his ancestors with regard to Scotland. He held its power in such extreme contempt, that he was at no pains to gain its friendship; but, on the contrary, he irritated the whole nation, by reviving the antiquated pretensions of the crown of England to the sovereignty over Scotland. But his own experience, and the example of his enemies, gave him a higher idea of its importance. It was impossible to defend an open and extensive frontier against the incursions of an active and martial people. During any war on the continent, this obliged him to divide the strength of his kingdom. It was necessary to maintain a kind of army of observation in the North of England; and after all precautions, the Scottish borderers, who were superior to all man-

kind

BOOK kind in the practice of irregular war, often made successful inroads, and spread terror and desolation over many counties. He fell, at last, upon the true secret of policy, with respect to Scotland, which his predecessors had too little penetration to discover, or too much pride to employ. The fituation of the country, and the bravery of the people, made the conquest of Scotland impossible; but the national poverty, and the violence of faction, rendered it an easy matter to divide, and to govern it. He abandoned, therefore, the former defign, and refolved to employ his utmost address in executing the latter. It had not yet become honourable for one prince to receive pay from another, under the more decent name of a fubfidy. But in all ages the fame arguments have been good in courts, and of weight with minifters, factious leaders, and favourites. What were the arguments by which Henry brought over fo many to his interest during the minority of James V. we know by the original warrant still extant P, for remitting considerable fums into Scotland. By a proper distribution of these, many persons of note were gained to his party, and a faction which held fecret correspondence with England, and received all its directions from thence, appears henceforward in our domestic contests. In the sequel of the history, we shall find Henry labouring to extend his influence in Scotland. His fucceffors adopted the fame plan, and improved upon it. The affairs of the two kingdoms became interwoven, and their interests were often the same. Elizabeth divided her attention almost equally between them, and the authority which she inherited in the one, was not greater than that which she acquired in the other.

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## В-ООК И.

MARY queen of Scots, the daughter of James V. and BOOK of Mary of Guise, was born a few days before the death of her father. The fituation in which he left the kingdom alarmed all ranks of men with the prospect of a turbulent Birth of and difastrous reign. A war against England had been un- Mary, Dec. dertaken without necessity, and carried on without success. 8, 1542, and state of Many persons of the first rank had fallen into the hands of the kingthe English, in the unfortunate route near the firth of Sol-dom. way, and were still prisoners at London. Among the rest of the nobles there was little union either in their views or in their affections; and the religious disputes occasioned by the opinions of the reformers, growing every day more violent, added to the rage of those factions which are natural to a form of government nearly aristocratical.

THE government of a queen was unknown in Scotland, and did not imprint much reverence in the minds of a martial people. The government of an infant queen was still more destitue of real authority; and the prospect of a long and feeble minority invited to faction by the hope of impunity. James had not even provided the common remedy against the disorders of a minority, by committing to proper persons the care of his daughter's education, and the administration of affairs in her name. Though he saw the clouds gathering, and foretold that they would quickly burst into a ftorm, he was so little able to disperse them, or to defend his daughter and kingdom against the imminent calamities, that, in mere despair, he abandoned them both to the mercy of fortune, and left open to every pretender, the office of regent, which he could not fix to his own fatisfaction,

CARDINAL Beatoun, who had for many years been consi- Pretentions dered as prime minister, was the first who claimed that high of cardinal dignity; and in support of his pretensions, he produced a the regentestament, which he himself had forged in the name of the cy. fate king; and without any other right, instantly assumed the title of regent. He hoped, by the affiftance of the clergy, the countenance of France, the connivance of the queen dowager, and the support of the whole popish faction, to hold by force, what he had feized on by fraud. But Bea-

\* Sadler's Lett. 161. Haynes, State Papers, 486.

BOOK toun had enjoyed power too long to be a favourite of the Those among the nobles who wished for a reformation in religion dreaded his feverity, and others confidered the elevation of a churchman to the highest office in the kingdom as a depression of themselves. At their instigation, James Hamilton earl of Arran, and next heir to the queen, roused himself from his inactivity, and was prevailed on to aspire to that station, to which proximity of blood gave him Earl of Ar- a natural title. The nobles, who were affembled for that ran chosen purpose, unanimously conferred on him the office of regent; and the public voice applauded, their choice b.

Character of Beatoun;

No two men ever differed more widely in disposition and character, than the earl of Arran and cardinal Beatoun. The cardinal was by nature of immoderate ambition; by long experience he had acquired address and refinement; and infolence grew upon him from continual fuccefs. His high station in the church placed him in the way of great civil employments; his abilities were equal to the greatest of these; nor did he reckon any of them to be above his As his own eminence was founded upon the power of the church of Rome, he was a zealous defender of that fuperstition, and for the same reason an avowed enemy to the doctrine of the reformers. Political motives alone determined him to support the one, or to oppose the other. His early application to public bufiness kept him unacquainted with the learning and controversies of the age; he gave judgment, however, upon all points in dispute, with a precipitancy, violence, and rigour, which cotemporary historians mention with indignation.

Of Arran.

THE character of the earl of Arran was, in almost every thing, the reverse of Beatoun's. He was neither infected with ambition, nor inclined to cruelty: the love of eafe extinguished the former, the gentleness of his temper preferved him from the latter. Timidity and irrefolution were his predominant failings, the one occasioned by his natural constitution, and the other arising from a consciousness that his abilities were not equal to his station. With these dispofitions he might have enjoyed and adorned private life; but his public conduct was without courage, or dignity, or confiftence: the perpetual flave of his own fears, and, by confequence, the perpetual tool of those who found their advantage in practifing upon them. But as no other person could be fet in opposition to the cardinal, with any probability of fuccefs, the nation declared in his favour with fuch general confent,

Epist. Reg. Scot. vol. ii. p. 308.

consent, that the artifices of his rival could not withstand its BOOK united strength.

THE earl of Arran had scarce taken possession of his new dignity, when a negociation was opened with England, Schemes of which gave birth to events of the most fatal consequence to Hen. VIII. himself, and the kingdom. After the death of James, with regard Henry VIII. was no longer afraid of any interruption from Scotland to his defigns against France; and immediately conceived hopes of rendering this fecurity perpetual, by the marriage of Edward his only fon with the young queen of Scots. He communicated his intention to the prisoners taken at Solway, and prevailed on them to favour it, by the promife of liberty, as the reward of their fuccess. In the mean time he permitted them to return into Scotland, that, by their presence in the parliament which the regent had called, they might be the better able to perfuade their countrymen to fall in with his proposals. A cause, intrusted. to fuch able and zealous advocates, could not well mifs of coming to an happy iffue. All those who feared the cardinal, or who defired a change in religion, were fond of an alliance, which afforded protection to the doctrine which they had embraced, as well as to their own persons, against the rage of that powerful and haughty prelate.

Bur Henry's rough and impatient temper was incapable Ill-conductof improving this favourable conjuncture. Address and deli- ed by himcacy in managing the fears, and follies, and interest of men, felf. were arts with which he was utterly unacquainted. The defigns he had formed upon Scotland were obvious from the marriage which he had proposed, and he had not dexterity enough to difguise or to conceal them. Instead of yielding to the fear or jealousy of the Scots, what time and accidents would foon have enabled him to recover, he at once alarmed and irritated the whole nation, by demanding that the queen's person should be immediately committed to his custody, and that the government of the kingdom should be put into his hands during her mino-

rity.

HENRY could not have prescribed more ignominious con- Odious to ditions to a conquered people, and it is no wonder they the Scots, were rejected, with indignation, by men who fcorned to though in part acceptpurchase an alliance with England at the price of their own ed by them. liberty. The parliament of Scotland, however, influenced by the nobles who returned from England; defirous of peace with that kingdom; and delivered, by the regent's con- March 12, fining the cardinal as a prisoner, from any opposition to which he might have given rife; confented to a treaty of marriage

BOOK marriage and of union, but upon terms fomewhat more After some dark and unsuccessful intrigues, by which his ambaffador endeavoured to carry off the young queen and cardinal Beatoun into England, Henry was obliged to give up his own propofals, and to accept of theirs. On his fide, he confented that the queen should continue to refide in Scotland, and himself remain excluded from any share in the government of the kingdom. On the other hand, the Scots agreed to fend their fovereign into England as foon as the attained the full age of ten years, and instantly to deliver fix persons of the first rank, to be kept as hostages by Henry till the queen's arrival at his court.

Favoured by the regent.

THE treaty was still so manifestly of advantage to England, that the regent loft much of the public cofidence by confenting to it. The cardinal, who had now recovered liberty, watched for fuch an opportunity of regaining credit, and he did not fail to cultivate and improve this to the ut-Opposed by most. He complained loudly that the regent had betrayed the cardi- the kingdom to its most inveterate enemies, and sacrificed its honour to his own ambition. He foretold the extinction of the true eatholic religion, under the tyranny of an excommunicated heretic; but above all, he lamented to fee an ancient kingdom confenting to its own fervitude, defeending into the ignominious station of a dependent province; and, in one hour, the weakness or treachery of a fingle man furrendering every thing for which the Scottish nation had struggled and fought during fo many ages. These remonstrances of the cardinal were not without effect. They were addressed to prejudices and passions which are deeply rooted in the human heart. The fame hatred to the ancient enemies of their country, the same jealousy of national honour, and pride of independence, which, at the beginning of the present century, went near to prevent the Scots from confenting to an union with England, upon terms of great advantage, did at that time induce the whole nation to declare against the alliance which had been concluded. In the one period, an hundred and fifty years of peace between the two nations, the habit of being subjected to the fame king, and governed by the fame maxims, had confiderably abated old animofities, and prepared both people for incorporating. In the other, injuries were still fresh, the wounds on both fides were open, and in the warmth of refentment, it was natural to feek revenge, and to be averse from reconcilement. At the Union in one thousand seven hundred and seven, the wisdom of parliament despised the

groundless murmurs occasioned by antiquated prejudices; BOOK but in one thousand five hundred and forty-three, the complaints of the nation were better founded, and urged with a zeal and unanimity, which it is neither just nor fafe to difregard. A rath measure of the king of England added greatly to the violence of this national animofity. The Scots, re-lying on the treaty of marriage and union, fitted out feveral ships for France, with which their trade had been interrupted for some time. These were driven by stress of weather to take refuge in different ports of England; and Henry, under pretext that they were carrying provisions to a kingdom with which he was at war, ordered them to be feized and condemned as lawful prizes c. The Scots, aftonished at this proceeding of a prince, whose interest it was manifestly, at that juncture, to court and to footh them, felt it not only as an injury, but as an infult, and expressed all the refentment natural to an high-spirited people. Their rage rose to such an height, that the English ambassador could hardly be protected from it. One spirit seemed now to animate all orders of men. The clergy offered to contribute a great fum towards preferving the church from the dominion of a prince, whose nobles, after having mortified the cardinal fo lately in fuch a cruel manner, were now ready to applaud and to second him, as the defender of the honour and liberty of his country.

ARGYLL, Huntly, Bothwell, and other powerful barons, He excites declared openly against the alliance with England. By their almost the whole na-

affiftance, whole na-

\* Keith, 32. 34. Epift. Reg. Scot. ii. App. 311. Hamilton MSS. vol. i. 389. the English.

\* In the MS. Collection of Papers belonging to the Duke of Hamilton, Sir Ralph Sadler describes the spirit of the Scots as extremely outrageous. In his letter from Edinburgh, September 1, 1543, he says, "The stay of the ships has brought the people of this town, both men and women, and especially the merchants, into such a rage and sury, that the whole town is commoved against me, and swear great oaths, that if their ships are not restored, that they would have their amends of me and mine, and that they would fet my house here on sire over my head, so that one of us should not escape alive; and also it hath much incensed and provoked the people against the governor, saying, that he hath coloured a peace with your Majesty only to undo them. This is the unreasonableness of the people, which live here in such a beastly liberty, that they neither regard God nor governor; nor yet justice, or any good policy, doth take place among them; assuring your highness that, unless the ships be delivered, there will be none abiding here for me without danger."

Vol. 451. In his letter of September 5, he writes, that the rage of the people still continued so violent, "that neither I nor any of my-folks dare go out of my doors; and the provost of the town, who hath much ado to stay them from assaulting me in my house, and keepeth watch therefore nightly, hath fent to me sundry times, and prayed me to keep myself and my folks within, for it is scant in his power to repress or tenst the fury of the people. They say plainly, I shall never pass out of the town alive, except they have their ships restored. This is the rage and beastliness of this nation, which God keep all honest men from." Ib. 471.

BOOK affiftance, the cardinal feized on the persons of the young queen and her mother, and added to his party the splendour and authority of the royal name. He received, at the fame time, a more real accession to his strength, by the arrival of Matthew Stewart earl of Lennox, whose return from France he had earnestly solicited. This young nobleman was the hereditary enemy of the house of Hamilton. He had many claims upon the regent, and pretended a right to exclude him, not only from fucceeding to the crown, but to deprive him of the possession of his private fortune. The cardinal flattered his vanity with the prospect of marrying the queen dowager, and affected to treat him with fo much respect, that the regent became jealous of him as a rival in power.

> This fuspicion was artfully heightened by the abbot of Paifley, who returned into Scotland some time before the earl of Lennox, and acted in concert with the cardinal. He was a natural brother of the regent, with whom he had great credit; a warm partifan of France, and a zealous defender of the established religion. He took hold of the regent by the proper handle, and endeavoured to bring about, a change in his fentiments, by working upon his fears. The defertion of the nobility, the disaffection of the clergy, and the rage of the people; the refentment of France, the power of the cardinal, and the pretentions of Lennox; were all represented with aggravation, and with their most threat-

ening aspect.

MEANWHILE, the day appointed for the ratification of the treaty with England, and the delivery of the hostages, approached, and the regent was still undetermined in his own mind. He acted to the last with that irresolution and in confistence which is peculiar to weak men when they are so unfortunate as to have the chief part in the conduct of difficult affairs. On the 25th of August he ratified the treaty with Henry f, and proclaimed the cardinal, who still con-Obliges the tinued to oppose it, an enemy to his country. On the third of September he fecretly withdrew from Edinburgh, met with the cardinal at Callendar, renounced the friendship of

England, and declared for the interest of France g.

HENRY, in order to gain the regent, had not spared the most magnificent promises. He had offered to give the princess Elizabeth in marriage to his eldest son, and to constitute him king of that part of Scotland which lies beyond the river Forth. But, upon finding his interest in the kingdom

Sadler, 339. 356. Hamilton MSS. i. 470, &c.

regent to renounce the friendship with England;

<sup>\*</sup> Keith's Hift. of Scotl. 30. f Rymer, Fæd. xv. p. 4.

kingdom to be less considerable than he had imagined, the BOOK English monarch began to treat him with little respect. The young queen was now in the custody of his enemies, who grew every day more numerous and more popular. They formed a separate court at Stirling, and threatened to elect another regent. The French king was ready to afford them his protection, and the nation, out of hatred to the English, would have united in their defence. In this situation, the regent could not retain his authority, without a sudden change of his measures; and though he endeavoured, by ratifying the treaty, to preserve the appearances of good faith with England, he was obliged to throw himself into the arms of the party which adhered to France.

Soon after this sudden revolution in his political princi- and to perples, the regent changed his fentiments concerning religion. fecute the The spirit of controversy was then new and warm; books of reformers. that kind were eagerly read by men of every rank; the love of novelty, or the conviction of truth, had led the regent to express great esteem for the writings of the reformers; and having been powerfully supported by those who had embraced their opinions, he, in order to ratify them, entertained in his own family two of the most noted preachers of the protestant doctrine, and in his first parliament, confented to an act, by which the laity was permitted to read the scriptures in a language which they understood h. Truth needed only a fair hearing to be an over-match for error. Abfurdities, which had long imposed on the ignorance and credulity of mankind, were detected and exposed to public ridicule; and under the countenance of the regent, the reformation made great advances. The cardinal observed its progress with concern, and was at the utmost pains to obstruct it. He represented to the regent his great imprudence in giving encouragement to opinions fo favourable to Lennox's pretentions; that his own legitimacy depended upon the validity of a fentence of divorce, founded on the pope's authority; and that by fuffering it to be called in question,

his rival with the only argument by which it could be rendered doubtful i. These infinuations made a deep impression

he weakened his own title to the succession, and furnished

h Keith, p. 36, 37.

The pretentions of the earl of Lennox to the succession were thus founded. Mary, the daughter of James II. was married to James lord Hamilton, whom James III. created earl of Arran on that account. Elizabeth, a daughter of that marriage, was the wife of Matthew earl of Lennox, and the present earl was her grandson. The regent was likewise the grandson of the princess Mary. But his father having married Janet Beatoun the regent's mother, after he had obtained a divorce from Elizabeth Home his former wife,

BOOK on the regent's timorous spirit, who, at the prospect of such imaginary dangers, was as much startled as the cardinal could have wished; and his zeal for the protestant religion was not long proof against his fear. He publicly abjured the doctrine of the reformers in the Franciscan church at Stirling, and declared not only for the political, but the:

religious opinions of his new confidents.

THE protestant doctrine did not suffer much by his apostacy. It had already taken so deep root in the kingdom, that no discouragement or severity could extirpate it. The regent indeed consented to every thing that the zeal of the cardinal thought necessary for the preservation of the esta-The reformers were perfecuted with all blished religion. the cruelty which superstition inspires into a barbarous people. Many were condemned to that dreadful death, which the church has appointed for the punishment of its enemies; but they fuffered with a spirit so nearly resembling the patience and fortitude of the primtive martyrs, that more were converted than terrified by fuch spectacles.

Beatoun engrefles the chief affairs.

THE cardinal however was now in possession of every thing his ambition could defire; and exercifed all the audirection of thority of a regent, without the envy of the name. He had nothing to fear from the earl of Arran, who having by his inconfistency forfeited the public esteem, was contemned by one half of the nation, and little trusted by the other. The pretentions of the earl of Lennox were the only thing which remained to embarrass him. He had very successfully made use of that nobleman to work upon the regent's jealoufy and fear, but as he no longer flood in need of fuch an instrument, he was willing to get rid of him with decency. Lennox foon began to suspect his intention; promises, flattery, and respect, were the only returns he had hitherto received for substantial services; but at last the cardinal's artifices could no longer be concealed, and Lennox, instead of attaining power and dignity himself, saw that he had been employed only to procure these for another. Refentment and disappointed ambition urged him to feek revenge on that cunning prelate, who, by facrificing his interest, had so ungenerously purchased the earl of Arran's friendship. He withdrew, for that reason, from court, and declared for the party at enmity with the cardinal, which, with open arms, received a convert who added fo much luftre to their cause.

Lennox pretended that the fentence of divorce was unjust, and that the regent being born while Elizabeth Home was still alive, ought to be confidered as illegitimate. Crawf. Peer. 192.

THE two factions which divided the kingdom were still Book the same, without any alterations in their views or principles; but by one of those strange revolutions which were frequent in that age, they had, in the course of a few weeks, changed their leaders. The regent was at the head of the partitans of France and the defenders of popery, and Lennox in the fame station with the advocates for the English alliance, and a reformation in religion. The one laboured to pull down his own work, which the other upheld with the fame hand that had hitherto endeavoured to destroy it.

LENNOX's impatience for revenge got the start of the cardinal's activity. He furprised both him and the regent by a sudden march to Edinburgh with a numerous army; and might eafily have crushed them before they could prepare for their defence. But he was weak enough to liften to proposals for an accommodation; and the cardinal amused him so artfully, and spun out the treaty to such a length, that the greater part of the earl's troops who served, as is usual wherever the feudal institutions prevail, at their own expence, deferted him; and in concluding a peace, instead of giving the law, he was obliged to receive it. A fecond attempt to retrieve his affairs ended yet more unfortunately. One body of his troops was cut to pieces, and the rest difperfed; and with the poor remains of a ruined party, he must either have submitted to the conquerer, or have sled out of the kingdom, if the approach of an English army had not brought him a fhort relief.

HENRY was not of a temper to bear tamely the indignity Henry with which he had been treated, both by the regent and invades parliament of Scotland, who, at the time when they renounced Scotland. their alliance with him, had entered into a new and stricter confederacy with France. The rigour of the feafon retarded for some time the execution of his vengence. But in the fpring a confiderable body of infantry, which was destined for France, received orders to fail for Scotland, and a proper number of cavalry was appointed to join it by land. The regent and cardinal little expected fuch a vifit. They had trusted that the French war would find employment for all Henry's forces; and, from an unaccountable fecurity, were wholly unprovided for the defence of the kingdom. The earl of Hertford, a leader fatal to the Scots in that age, commanded this army, and landed it, without opposition, a few miles above Leith. He was quickly mafter of that place; May, 1544. and marching directly to Edinburgh, entered with the After plundering the adjacent country, the richest and most open in Scotland, he set on fire both VOL. I.

BOOK these towns, and upon the approach of some troops gathered together by the regent, put his booty on board the fleet, and with his land forces retired fafely to the English borders, delivering the kingdom, in a few days, from the terror of an invasion, concerted with little policy, carried on at great expence, and attended with no advantage. If Henry aimed at the conquest of Scotland, he gained nothing by this expedition; if the marriage he had proposed was still in his view, he loft a great deal. Such a rough courtship, as the earl of . Huntly humourously called it, disgusted the whole nation; their aversion for the match grew into abhorrence; and, exasperated by so many indignities, the Scots were never at any period more attached to France, or more alienated

from England.

THE earl of Lennox alone, in spite to the regent and Frenchking, continued a correspondence with England, which ruined his own interest, without promoting Henry'sk. Many of his own vaffals, preferring their duty to their country before their affection to him, refused to concur in any defign to favour the public enemy. After a few feeble and unfuccessful attempts to difturb the regent's administration, he was obliged to fly for safety to the court of England, where Henry rewarded fervices which he had the inclination, but not the power to perform, by giving him in marriage, his niece the lady Margaret Douglas. unhappy exile, however, was destined to be the father of a race of kings. He saw his fon Lord Darnley mount the throne of Scotland, to the perpetual exclusion of that rival who now triumphed in his ruin. From that time his posterity have held the sceptre in two kingdoms, by one of which he was cast out as a criminal, and by the other received as a fugitive.

A peace concluded.

MEANWHILE hostilities were continued by both nations, but with little vigour on either fide. The historians of that age relate minutely the circumstances of several skirmishes and inroads, which, as they did not produce any considerable effect, at this distance of time deserve no remembrance. At length and end was put to this languid

k Rymer, xv. p. 22.

<sup>1</sup> Though this war was distinguished by no important or decisive action, it was, however, extremely ruinous to individuals. There still remain two original papers, which gives us some idea of the miseries to which some of the most fertile counties in the kingdom were exposed, by the sudden and destructive incursions of the borderers. The first feems to be the report made to Henry by the English wardens of the marches for the year 1544, and contains their exploits from the 2d of July to the 17th of November. The account it gives of the different inroads,

and inactive war, by a peace, in which England, France, BOOK and Scotland were comprehended. Henry laboured to II. exclude the Scots from the benefit of this treaty, and to referve them for that vengeance which his attention to the affairs of the continent had hitherto delayed. But although a peace with England was of the last confequence to Francis I. whom the emperor was preparing to attack with all his forces, he was too generous to abandon allies who had ferved him with fidelity, and he chose rather to purchase Henry's friendship with disadvantage to himself, than to leave them exposed to danger. By yielding some things to the interest, and more to the vanity of that haughty prince; by fubmission, flattery, and address, he at length prevailed to have the Scots included in the peace agreed upon.

An event which happened a fhort time before the conclu- The murfion of this peace, rendered it more acceptable to the whole der of Beatonn. nation. Cardinal Beatoun had not used his power with moderation, equal to the prudence by which he attained it. Notwithstanding his great abilities, he had too many of the passions and prejudices of an angry leader of a faction, to govern a divided people with temper. His refentment against one party of the nobility, his insolence towards the rest, his severity to the reformers, and, above all, the barbarous and illegal execution of the famous George

inroads, or Forrays, as they are called, is very minute; and in conclusion, the fum total of mischief they did is thus computed:

Towns, towers, stedes, barnekyns, parishe-churches, bastel-houses, cast down or burnt 192 Prisoners taken 816 Nolt, i. e. horned cattle taken 10,386 12,492 Nags and geldings 1,296 200 Goats Bolls of corn Infight-gear, i. e. houshold furniture, not reckoned.

Haynes's State Papers, 43. The other contains an account of an intoad by the earl of Hertford, hetween the 8th and 23d of September, 1545; the narrative is more general, but it appears that he had burnt, rased, and destroyed, in the counties of Berwick and Roxburgh only,

Monasteries and Friar houses Castles, towers, and piles ... 16 5 Market towns Villages Milns Hospitals

All these were cast down or burnt. Haynes, 52. As the Scots were no less skilful in the practice of irregular war, we may conclude that the damage which they did in England was not inconsiderable; and that their raids were no less wasteful than the forrays of the English.

BOOK Wishart, a man of honourable birth and of primitive fanchity, wore out the patience of a fierce age; and nothing but a bold hand was wanting to gratify the public wish by his destruction. Private revenge, inflamed and fanctified by a false zeal for religion, quickly supplied this want. Norman Lefly, the eldest son of the earl of Rothes, had been treated by the cardinal with injustice and contempt. It was not the temper of the man, or the spirit of the times, quietly to digest an affront. As the profession of his ad ersary screened him from the effects of what is called an honourable refentment, he resolved to take that satisfaction which he could not demand. This refolution deferves as much censure, as the fingular courage and conduct with which he put it in exeeution excite wonder. The cardinal at that time refided in . the castle of Saint Andrew's, which he had fortified at great expence, and in the opinion of the age had rendered it impregnable. His retinue was numerous, the town at his devotion, and the neighbouring country full of his dependents. In this fituation, fixteen persons undertook to surprize his eastle, and to assaffinate himself; and their success was equal to the boldness of the attempt. Early in the morning they feized on the gate of the caftle, which was fet open to the workmen who were employed in finishing the fortifications; and having placed centries at the door of the cardinal's apartment, they awakened his numerous domestics one by one, and turning them out of the castle, they, without noise or tumult, or violence to any other person, delivered their country, though by a most unjustifiable action, from an ambitious man, whose pride was insupportable to the nobles, as his cruelty and cunning were great checks to the reformation.

The regent

derers.

May, 29, 1546.

His death was fatal to the chatholic religion, and to the attempts in French interest in Scotland. The same zeal for both convain to seize tinued among a great party in the nation, but when deprived of the genius and authority of so skilful a leader, operated with less effect. Nothing can equal the consternation which a blow to unexpected occasioned among such as were attached to him; while the regent fecretly enjoyed an event, which removed out of his way a rival, who had not only eclipfed his greatness, but almost extinguished his power. Decency, however, the honour of the church, the importunity of the queen dowager, and her adherents, his engagements with France, and above all these, the desire of recovering his eldest son, whom the cardinal had detained for some time at Saint Andrew's in pledge of his fidelity, and who, together with the caftle, had fallen into the hands of the conspirators,

induced

induced him to take arms, in order to revenge the death of a B o o it man whom he hated.

HE threatened vengeance, but was unable to execute it. One part of military science, the art of attacking fortified places, was then imperfectly understood in Scotland. The weapons, the discipline, and imperuosity of the Scots, rendered their armies as unfit for fieges, as they were active in the field. An hundred and fifty men, which was the greatest number the conspirators ever assembled, resisted all the efforts of the regent for five months m, in a place which a fingle battalion, with a few battering cannon, would now reduce in a few hours. This tedious siege was concluded by a truce. The regent undertook to procure for the conspirators an absolution from the pope, and a pardon in parliament; and upon obtaining these, they engaged to surrender the castle, and set his son at liberty.

It is probable, that neither of them were fincere in this treaty. On both fides they fought only to amuse, and to. gain time. The regent had applied to France for affiftance, and expected foon to have the conspirators at mercy. On the other hand, if Lesly and his affociates were not at first incited by Henry to murder the cardinal, they were, in the fequel, powerfully supported by him. Notwithstanding the filence of contemporary historians, there are violent prefumptions of the former; of the latter there is undoubted certainty a. During the fiege, the conspirators had received from England supplies both of money and provisions; and as Henry was preparing to renew his proposals concerning

the marriage and the union he had projected, and to fecond his negociations with a numerous army, they hoped, by concurring with him, to be in a fituation in which they would

no longer need a pardon, but might claim a reward. THE death of Henry blafted all these hopes. It happened January 28, in the beginning of next year, after a reign of greater splendour than true glory; buftling, though not active; oppreffive in domestic government, and in foreign politics wild and irregular. But the vices of this prince were more beneficial to mankind, than the virtues of others. His rapaciousness, his profusion, and even his tyranny, by depreshing the ancient nobility, and by adding new property and power to the commons, laid or strengthened the foundations of the British liberty. His other passions contributed no less towards the downfal of popery, and the establishment of religious freedom in the nation. His refentment led him to abolish the power,

BOOK and his covetousness to seize the wealth of the church; and by withdrawing these supports, made it easy, in the following reign, to overturn the whole fabric of fuperstition.

Troops arrive from France.

FRANCIS I. did not long furvive a prince, who had been alternately his rival and his friend; but his successor Henry II. was not neglectful of the French interest in Scotland. He fent a confiderable body of men, under the command of Leon Strozzi, to the regent's affiftance. By their long experience in the Italian and German wars, the French had become as dexterous in the conduct of fieges, as the Scots were ignorant; and as the boldness and despair of the conspirators could not defend them against the superior art of these new affailants, they, after a short resistance, surrendered to Strozzi, who engaged in the name of the king his mafter, for the fecurity of their lives; and, as his prisoners, transported them into France. The castle itself, the monument of Beatoun's power and vanity, was demolished, in obedience to the canon law, which, with admirable policy, denounces its anathemas even against the houses in which the facred blood of a cardinal happens to be shed, and ordains them to be laid in ruins o.

Force the castle of St. Andrew's to furren-

> THE archbishopric of St. Andrew's was bestowed by the regent upon his natural brother John Hamilton, abbot of

Newbreach with England.

THE delay of a few weeks would have faved the conspi-Those ministers of Henry VIII. who had the chief rators. direction of affairs duirng the minority of his fon Edward VI. conducted themselves, with regard to Scotland, by the maxims of their late master, and resolved to frighten the Scots into a treaty, which they had not abilities or address to

bring about by any other method. But before we proceed to relate the events which their invasion of Scotland occasioned, we shall stop to take notice of a circumstance unobserved by contemporary historians, but extremely remarkable for the discovery it makes of the fentiments and spirit which then prevailed among the Scots. The conspirators against cardinal Beatoun found the regent's eldest fon in the castle of St. Andrew's; and as they needed the protection of the English it was to be feared that they might endeavour to purchase it, by delivering to them this important prize. The prefumptive heir to the crown in the hands of the avowed enemies of the kingdom, was a dreadful prospect. In order to avoid it, the parliament fell upon a very extraordinary expedient. By an act made on purpose,

\* Barn. Hift. Ref. 1. 338.

.. 32.....

they excluded " the regent's eldest fon from all right of BOOK " fuccession, public or private, so long as he should be de-" tained a prisoner, and substituted in his place his other " brothers, according to their feniority, and in failure of " them, those who were next heirs to the regent "." Succession by hereditary right is an idea so obvious and so popular, that a nation feldom ventures to make a breach in it, but in cases of extreme necessity. Such a necessity did the parliament discover in the present situation. Hatred to England, founded on the memory of past hostilities, and heightened by the fmart of recent injuries, was the national passion. This dictated that uncommon statute, by which the order of lineal fuccession was so remarkably broken. The modern theories, which represent this right as divine and unalienable, and that ought not to be violated upon any confideration whatfoever, feem to have been then altogether unknown.

In the beginning of September, the earl of Hertford, now Scotland duke of Somerfet, and protector of England, entered Scot- invaded by land at the head of eighteen thousand men, and, at the same lish. time, a fleet of fixty ships appeared on the coast to second his land forces. The Scots had for some time observed this ftorm gathering, and were prepared for it. Their army was almost double to that of the enemy, and posted to the greatest advantage on a rifing ground, above Musselburgh, not far from the banks of the river Eske. Both these circumstances alarmed the duke of Somerfet, who faw his danger, and would willingly have extricated himself out of it, by a new overture of peace, on conditions extremely reasonable. But this moderation being imputed to fear, his proposals were rejected with that fcorn which the confidence of fuccess infpires; and if the conduct of the regent, who commanded the Scottish army, had been in any degree equal to his confidence, the destruction of the English must have been inevita-They were in a fituation precifely fimilar to that of their countrymen under Oliver Cromwell in the following centu-The Scots had chosen their ground so well, that it was impossible to force them to give battle; a few days had exhausted the forage and provision of a narrow country; the fleet could only furnish a scanty and precarious subsistence; a retreat therefore was necessary; but disgrace, and perhaps ruin, were the consequences of retreating.

On both these occasions, the national heat and impetuosity of the Scots faved the English, and precipitated their own

Book
II.

Battle of Pinkney,
September
10, 1547.

country into the utmost danger. The undisciplined courage of the private men became impatient at the fight of an ene-The general was afraid of nothing, but that the Engmy. lish might escape from him by slight; and leaving his strong camp, he attacked the duke of Somerfet near Pinkney, with no better fuccess than his rashness deserved. The protector had drawn up his troops on a gentle eminence, and had now the advantage of ground on his fide. The Scottish army confifted almost entirely of infantry, whose chief weapon was a long spear, and for that reason their files were very deep and their ranks close. They advanced towards the enemy in three great bodies, and, as they passed the river, were confiderably exposed to the fire of the English fleet, which lay in the bay of Musselburgh, and had drawn near the shore. The English cavalry, slushed with an advantage which they had gained in a skirmish some days before, began the attack with more impetuofity than good conduct. A body so firm and compact as the Scots easily resisted the impression of cavalry, broke them, and drove them off the field. The English infantry, however, advanced, and the Scots were at once exposed to a flight of arrows, to a fire in flank from four hundred foreign fufileers who ferved the enemy, and to their canon, which were planted behind the infantry on the highest part of the eminence. The depth and closeness of their order making it impossible for the Scots to stand long in this fituation, the earl of Angus, who commanded the vanguard, endeavoured to change his ground, and to retire towards the main body. But his friends unhappily mistook his motion for a flight, and fell into confusion. At that very instant, the broken cavalry, having rallied, returned to the charge; the foot pursued the advantage they had gained; the prospect of victory redoubled the ardour of both: and in a moment the rout of the Scottish army became universal and irretrievable. The encounter in the field was not long nor bloody; but in the pursuit, the English discovered all the rage and sierceness which national antipathy, kindled by long emulation, and inflamed by reciprocal injuries, is apt to inspire. The pursuit was continued for five hours, and to a great distance. All the three roads by which the Scots fled, were strewed with spears, and swords, and targets, and covered with the bodies of the flain. Above ten thousand men fell on this day, one of the most fatal Scotland had ever seen. A few were taken prisoners, and among these some persons of distinction. The protector had it now in his power to become mafter of a kingdom, out of which, not many hours before, he was almost Book obliged to retire with infamy q.

Bur this victory, however great, was of no real utility, for want of skill or of leifure to improve it. Every new Their viinjury rendered the Scots more averle from an union with tory of lit-England; and the protector neglected the only measure the benefit which would have made it necessary for them to have lish. given their consent to it. He amused himself in wasting the open country, and in taking or building feveral petty caftles; whereas by fortifying a few places which were accessible by sea, he would have laid the kingdom open to the English, and, in a short time, the Scots must either have accepted of his terms, or have submitted to his power. By: fuch an improvement of it, the victory at Dunbar gave Cromwell the command of Scotland. The battle of Pinkney had no other effect but to precipitate the Scots into new en-gagements with France. The fituation of the English court, may, indeed, be pleaded in excuse for the duke of Somerfet's conduct. That cabal of his enemies, which occasioned his tragical end, was already formed; and while it triumphed in Scotland, they fecretly undermined his power and credit at home. Self-preservation, therefore, obliged him to prefer his fafety before his fame, and to return

The following passage in a curious and rare journal of the protector's expedition into Scotland, written by W. Patten, who was joined in commif-fion with Cecil, as judge marshal of the army, and printed in 1548, deserves our notice; as it gives a just idea of the military discipline of the Scots at that time. " But what after I learned, specially touching their order, their armour, and their manner as well of going to offend, as of standing to defend. I have though necessary here to utter. Hackbutters have they few or none, and appoint their fight most commonly always a foot. They come to the field well furnished all with jack and skull, dagger and buckler, and swords all broad and thin, of exceeding good temper, and univerfally fo made to flice, that as I never faw none fo good, fo I think it hard to devise the better. Herete every man his pike, and a great kercher wrapped twice or thrice about his neck, not for cold, but for cutting. In their array towards joining with the enemy, they cling and thrust so near in the fore rank, shoulder and shoulder together, with their pikes in both their hands straight afore them, and their followers in that order fo hard at their backs, laying their pikes over their foregoers shoulders, that if they do affail undiscovered, no force can well withstand them. Standing at defence they thrust shoulders likewise so night together, the fore ranks well nigh to kneeling, stoop low before, their fellows behind holding their pikes with both hands, and therewith in their left their bucklers, the one end of their pike against their right foot, and the other against the enemy breast high; their followers crossing their pike points, with them forward; and thus with each other fo nigh as space and place will fuffer, through the whole ward, fo thick, that as eafily shall a bare finger pierce through the skin of an angry hedge-hog, as any encounter the front of their pikes." Other curious particulars are found in this journal, from which Sir John Hayward has borrowed his account of this expedition. Life of Edward VI. 279, &c.

The length of the Scotch pike or spear was appointed by Act 44. P. 1475.

to be fix ells; i, e, eighteen feet fix inches,

April,

1548.

BOOK without reaping the fruits of his victory. At this time, however, the cloud blew over: the conspiracy by which he fell was not yet ripe for execution; and his presence sufpended its effect for some time. The supreme power still remaining in his hands, he employed it to recover the opportunity which he had loft. A body of troops, by his command, feized and fortified Hadingtoun, a place which, on account of its distance from the sea, and from any English garrison, could not be defended without great expence and danger.

Forces the with France,

MEANWHILE the French gained more by the defeat of Scots into a their allies, than the English by their victory. After the death of cardinal Beatoun, Mary of Guise, the queen dowager, took a confiderable share in the direction of affairs. She was warmly attached by blood, and by inclination, to the French interest: and, in order to promote it, improved with great dexterity every event which occurred. The fpirit and strength of the Scots were broken at Pinkney; and in an affembly of nobles which met at Stirling to confult upon the fituation of the kingdom, all eyes were turned towards France, no prospect of safety appearing but in assistance from thence. But Henry II. being then at peace with England, the queen represented that they could not expect him to take part in their quarrel, but upon views of personal advantage; and that without extraordinary concessions in his favour, no affiftance, in proportion to their present exigencies, could be obtained. The prejudices of the nation powerfully feconded thefe representations of the queen. What often happens to individuals, took place among the nobles in this convention; they were fwayed entirely by their paffions; and in order to gratify them, they deferted their former principles, and difregarded their true interest. In the violence of refentment, they forgot that zeal for the independence of Scotland, which had prompted them and to offer to reject their proposals of Henry VIII. and by offering, votheir queen luntarily, their young queen in marriage to the dauphin, in marriage eldest fon of Henry II. and, which was still more, by proposing to fend her immediately into France to be educated at his court, they granted, from a thirst of vengeance, what formerly they would not yield upon any confideration of their own fafety. To gain at once fuch a kingdom as Scotland, was a matter of no small confequence to France. Henry, without hefitation, accepted the offers of the Scottish ambassadors, and prepared for the vigorous defence of his new acquisition. Six thousand veteran foldiers, under the command of Monfieur Desce, assisted by some of the best officers who were formed in the long wars of Francis I. arrived

phin.

arrived at Leith. They ferved two campaigns in Scotland, BOOK with a spirit equal to their former fame. But their exploits were not confiderable. The Scots, foon becoming jealous of their defigns, neglected to support them with proper vigour. The caution of the English, in acting wholly upon the defensive, prevented the French from attempting any enterprise of consequence; and obliged them to exhaust their strength in tedious sieges, undertaken under many disadvantages. Their efforts, however, were not without some benefit to the Scots by compelling the English to evacuate Haddingtoun, and to furrender feveral small forts, which they

possessed in different parts of the kingdom.

Bur the effects of these operations of his troops were still of greater importance to the French king. The diversion which they occasioned enabled him to wrest Boulogne out of the hands of the English; and the influence of his army in Scotland obtained the concurrence of parliament with the overtures which had been made to him, by the affembly of nobles at Stirling, concerning the queen's marriage with the dauphin, and her education at the court of France. In vain did a few patriots remonstrate against such extravagant concessions, by which Scotland was reduced to be a province of France; and Henry, from an ally, raised to be master of the The treaty kingdom; by which the friendship of France became more for that fatal than the enmity of England; and every thing was purpofe fondly given up to the one, that had been bravely defended concluded. against the other. A point of so much consequence was hastily decided in a parliament affembled in the camp before Haddingtoun: the intrigues of the queen dowager, the zeal June 5. of the clergy, and refentment against England, had prepared 154& a great party in the nation for fuch a step; the French general and ambassador, by their liberality and promises, gained over many more. The regent himself was weak enough to stoop to the offer of a pension from France, together with the title of duke of Chatelherault in that kingdom. A confiderable majority declared for the treaty, and the interest of a faction was preferred before the honour of the nation.

HAVING hurried the Scots into this rash and fatal resolu- Mary sent tion, the fource of many calamities to themselves and to to be edutheir fovereign, the French allowed them no time for re-cated in flection or repentance. The fleet which had brought over France. their forces was still in Scotland, and without delay convoyed the queen into France. Mary was then fix years old, and by her education in that court, one of the politest but most corrupted in Europe, the acquired every accomplishment that could add to her charms as a woman, and contracted

many

BOOK many of those prejudices which occasioned her misfortunes

II. as a queen.

From the time that Mary was put into their hands, it was the interest of the French to suffer the war in Scotland to languish. The recovery of the Boulonnois was the object which the French king had most at heart; but a slight diversion in Britain was sufficient to divide the attention and strength of the English, whose domestic factions deprived both their arms and councils of their accustomed vigour. The government of England had undergone a great revolution. The duke of Somerfet's power had been acquired with too much violence, and was exercised with too little moderation, to be of long continuance. . Many good qualities, added to great love of his country, could not atone for his ambition in usurping the fole direction of affairs. Many of the most eminent courtiers combined against him; and the earl of Warwick their leader, no less ambitious but more artful than Somerset, conducted his measures with so much dexterity as to raise himself upon the ruins of his rival. Without the invidious name of protector, he succeeded to all the power and influence of which Somerfet was deprived, and he quickly found peace to be necessary for the establishment of his new authority, and the execution of the vast defigns he had conceived.

Peace concluded.

March 24,

Henry was no stranger to Warwick's struction, and improved his knowledge of it to good purpose, in conducting the negotiations for a general peace. He prescribed what terms he pleased to the English minister, who scrupled at nothing, however advantageous to that monarch and his allies. England consented to restore Boulogne and its dependencies to France, and gave up all pretensions to a treaty of marriage with the queen of Scots, or to the conquest of her country. A few small forts, of which the English troops had hitherto kept possession, were rased; and peace between the two kingdoms was established on its ancient foundation.

BOTH the British nations lost power, as well as reputation by this unhappy quarrel. It was on both sides a war of emulation and resentment, rather than of interest; and was carried on under the influence of national animosities, which were blind to all advantages. The French, who entered into it with great coolness, conducted it with more skill; and by dexterously availing themselves of every circumstance which occurred, recovered possession of an important territory which they had lost, and added to their monarchy a new kingdom. The ambition of the English minister betrayed to them the former; the inconsiderate rage of the

Scots against their ancient enemies bestowed on them the BOOK latter; their own address and good policiy merited both.

IMMEDIATELY after the conclusion of the peace, the French forces left Scotland, as much to their own fatif- The Scots faction, as that of the nation. The Scots foon found, become jeathat the calling to their affiftance a people more powerful french. than themselves was a dangerous expedient. They beheld, with the utmost impatience, those who had come over to protect the kingdom, taking upon them to command in it; and on many occasions they repented the rash invitation which they had given. The peculiar genius of the French nation heightened this difgust, and prepared the Scots to throw off the yoke, before they had well begun to feel it. The French were, in that age, what they are at prefent, one of the most polished nations in Europe. But it is to be observed, in all their expeditions into foreign countries, whether towards the fouth or north, that their manners have been remarkably incompatible with the manners of every other people. Barbarians are tenacious of their own cuftoms, because they want knowledge and taste to discover the reasonableness and propriety of customs which differ from them. Nations which hold the first rank in politeness, are frequently no less tenacious out of pride. The Greeks were fo in the ancient world; and the French are the fame in the modern. Full of themselves; flattered by the imitation of their neighbours; and accustomed to consider their own modes as the standards of elegance; they fcorn to disguise, or to lay afide, the diftinguishing manners of their own nation, or to make any allowance for what may differ from them among others. For this reason, the behaviour of their armies has, on every occasion, been insupportable to strangers, and always epxofed them to hatred, and often to destruction. In that age, they over-ran Italy four feveral times by their valour, and lost it as often by their insolence. The Scots, naturally an irafcible and high-spirited people, and who, of all nations, can least bear the most distant infinuation of contempt, were not of a temper to admit all the pretentions of fuch affuming guests: The symptoms of alienation were foon visible; they seconded the military operations of the French troops with the utmost coldness; their difgust grew infensibly to a degree of indignation that could hardly be restrained; and on occasion of a very slight accident, broke out with fatal violence. A private French soldier engaging in an idle quarrel with a citizen of Edinburgh, both nations took arms, with equal rage, in defence of their countrymen. The provost of Edinbugh, his fon,

BOOK and several citizens of distinction, were killed in the fray; and the French were obliged to avoid the fury of the inhabitants, by retiring out of the city. Notwithstanding the ancient alliance of France and Scotland, and the long intercourse of good offices between the two nations, an aversion for the French took its rife at this time from the Scots, the effects whereof were deeply felt, and operated powerfully through the subsequent period.

Progress of the reformation.

FROM the death of cardinal Beatoun, nothing has been faid of the state of religion. While the war with England continued, the clergy had no leifure to moleft the protestants; and they were not yet confiderable enough to expect any thing more than connivance and impunity. The new doctrines were still in their infancy; but during this short interval of tranquillity, they acquired strength, and advanced by large and firm steps towards a full establishment in the kingdom. The first preachers against popery in Scotland, of whom feveral had appeared during the reign of James V. were more eminent for zeal and piety, than for learning. Their acquaintance with the principles of the reformation was partial, and at fecond hand; fome of them had been educated in England; all of them had borrowed their notions from the books published there; and in the first dawn of the new light, they did not venture far from their leaders. But in a short time the doctrines and writings of the foreign reformers became generally known; the inquisitive genius of the age pressed forward in quest of truth; the discovery of one error opened the way to others; the downfal of one imposture drew many after it; the whole fabric, which ignorance and superstition had erected in times of darkness, began to totter; and nothing was wanting to complete its ruin, but a daring and active leader to direct the attack. Such was the famous John Knox, who, with better qualifications of learning, and more extensive views, than any of his predeceffors in Scotland, possessed a natural intrepidity of mind, which fet him above fear. He began his public ministry at St. Andrew's in the year one thousand five hundred and forty-feven, with that success which always accompanies a bold and popular eloquence. Inflead of amufing himself with lopping the branches, he struck directly at the root of popery, and attacked both the doctrine and discipline of the established church, with a vehemence peculiar to himself, but admirably suited to the temper and wishes of the age.

An adversary so formidable as Knox, would not have easily escaped the rage of the clergy, who observed the tendency

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and progress of his opinions with the utmost concern. But, BOOK at first, he retired for safety into the castle of St. Andrew's, and while the conspirators kept possession of it, preached publicly under their protection. The great revolution in England, which followed upon the death of Henry VIII. contributed no less than the zeal of Knox towards demolishing the popish church in Scotland. Henry had loofened the chains, and lightened the yoke of popery. The ministers of his fon Edward VI. cast them off altogether, and established the protestant religion upon almost the same footing whereon it now stands in that kingdom. The influence of this example reached Scotland, and the happy effects of ecclefiaftical liberty in the one nation, inspired the other with an equal defire of recovering it. The reformers had, hitherto, been obliged to conduct themselves with the utmost caution, and seldom ventured to preach, but in private houses, and at a distance from court; they gained credit, as happens on the first publication of every new religion, chiefly among persons in the lower and middle rank of life. But several noblemen, of the greatest distinction, having, about this time openly espoused their principles, they were no longer under the necessity of acting with the same referve; and with more fecurity and encouragement, they had likewise great success. The means of acquiring and spreading knowledge became more common, and the spirit of innovation, peculiar to that period, grow every day bolder and more universal.

HAPPILY for the Reformation, this spirit was still under some restraint. It had not yet attained sirmness and vigour sufficient to overturn a system sounded on the deepest policy, and supported by the most formidable power. Under the present circumstances, any attempt towards action must have been satal to the protestant doctrines; and it is no small proof of the authority, as well as penetration, of the heads of the party, that they were able to restrain the zeal of a fiery and impetuous people, until that critical and mature juncture, when every step they took was decisive and successful.

MEANWHILE their cause received reinforcement from two different quarters whence they never could have expected it. The ambition of the house of Guise, and the bigotry of Mary of England, hastened the subversion of the papal throne in Scotland; and by a singular disposition of Providence, the persons who opposed the Reformation in every other part of Europe with the siercest zeal, were made instruments for advancing it in that kingdom.

MARY

BOOK office of re-

Mary of Guife poffeffed the same bold and aspiring spirit which diffinguished her family. But in her it was softened by the female character, and accompanied with great tem-The queen per and address. Her brothers, in order to attain the high dowager af- objects at which they aimed, ventured upon fuch daring pires to the measures as suited their great courage. Her designs upon the supreme power were concealed with the utmost care, and advanced by address and refinements more natural to her fex. By a dexterous application of those talents, she had acquired a confiderable influence on the councils of a nation hitherto unacquainted with the government of women; and, without the smallest right to any share in the administration of affairs, had engrofied the chief direction of them into her own hands. But she did not long rest fatisfied with the enjoyment of this precarious power, which the fickleness of the regent, or the ambition of those who governed him, might fo eafily difturb; and the began to fet on foot new intrigues, with a defign of undermining him, and of opening to herfelf a way to fucceed him in that high dignity. Her brothers entered warmly into this scheme, and supported it with all their credit at the court of France. The French king willingly concurred in a measure, by which he hoped to bring Scotland entirely under management, and, in any future broil with England, to turn its whole force upon that kingdom.

In order to arrive at the defired elevation, the queen dowager had only one of two ways to chuse; either violently to wrest the power out of the hands of the regent, or to obtain it by his confent. Under a minority, and among a warlike and factious people, the former was a very uncertain and dangerous experiment. The latter appeared to be no less impracticable. To perfuade a man voluntarily to abdicate the supreme power; to descend to a level with those, above whom he was raifed; and to be content with the fecond place where he had held the first, may well pass for a wild and chimerical project. This, however, the queen attempted; and the prudence of the attempt was sufficiently

justified by its fuccess.

THE regent's inconstancy and irresolution, together with the calamities which had befallen the kingdom under his administration, raised the prejudices both of the nobles and of the people against him, to a great height; and the queen fecretly fomented these with much industry. All who wished for a change met with a gracious reception in her court, and their spirit of disaffection was nourished by such hopes and promises, as in every age imposes on the credulity of the factious

factious. The favourers of the Reformation being the most BOOK numerous and spreading body of the regent's enemies, she applied to them with a particular attention; and the gentleneis of her disposition, and seeming indifference to the re- Courts the ligious points in dispute, made all her promises of protection reformers. and indulgence pass upon them for sincere. Finding fo great a part of the nation willing to fall in with her measures, the queen fet out for France, under pretence of vifiting her Od. 1550. daughter, and took along with her those noblemen who posfessed the greatest power and credit among their countrymen. Softened by the pleafures of an elegant court, flattered by the civilities of the French king and the careffes of the house of Guise, and influenced by the seasonable distribution of a few favours, and the liberal promife of many more, they were brought to approve of all the queen's preten-

WHILE she advanced by these slow but fure steps, the regent either did not foresee the danger which threatened him, or neglected to provide against it. The first discovery of the train which was laid, came from two of his own confidents, Carnegie of Kinnaird, and Panter bishop of Ross, whom the queen had gained over to her interest, and then employed as the most proper instruments for obtaining his consent. The overture was made to him in the name of the French king, enforced by proper threatenings, in order to work upon his natural timidy, and fweetened by every promife that could reconcile him to a proposal so disagreeable. On the one hand, the confirmation of his French title, together with a confiderable pension, the parliamentary acknowledgment of his right of fuccession to the crown, and a public ratification of his conduct during his regency, were offered him. On the other hand, the displeasure of the French king, the power and popularity of the queen dowager, the difaffections of the nobles, with the danger of an after-reckoning, were represented in the strongest colours.

IT was not possible to agree to a proposal so extraordinary and unexpected, without some previous struggle; and had the archbishop of St. Andrew's been present to fortify the irresolute and passive spirit of the regent, he, in all probability, would have rejected it with difdain. Happily for the queen, the fagacity and ambition of that prelate could, at this time, be no obstruction to her views. He was lying at the point of death, and in his absence the influence of the queen's agents on a flexible temper counterbalanced feveral of the strongest passions in the human mind, and obtained his confent to a voluntary furrender of the fupreme power.

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BOOK AFTER gaining a point of fuch difficulty with fo much eafe, the queen returned into Scotland, in full expectation of taking immediate poffeshon of her new dignity. But by this Dec. 1551. time the archbishop of St. Andrew's had recovered of that diffemper, which the ignorance of the Scottish physicians had pronounced to be incurable. This he owed to the affiftance of the famous Cardan, one of those irregular adventurers in philosophy, of whom Italy produced so many about this period. A bold genius led him to some useful discoveries, which merit the efteem of a more discerning age; a wild imagination engaged him in those chimerical sciences, which drew the admiration of his cotemporaries. As a pretender to aftrology and magic, he was revered and confulted by all Europe; as a proficient in natural philosophy, he was but little known. The archbishop it is probable, considered him as a powerful magician, when he applied to him for relief; but it was his knowledge as a philosopher, which enabled him to cure his disease r.

TOGETHER with his health, the archbishop recovered the entire government of the regent, and quickly perfuaded him to recal that dishonourable promise, which he had been seduced by the artifices of the queen to grant. However great her furprife and indignation were at this fresh instance of his inconstancy, she was obliged to dissemble, that she might have leifure to renew her intrigues with all parties; with the protestants, whom she favoured and courted more than ever; with the nobles, to whom the rendered herfelf agreeable by various arts; and with the regent himfelf, in order to gain whom, the employed every argument. But whatever impressions her emissaries might have made on the regent, it was no eafy matter to over-reach or to intimidate the archbishop. Under his management, the negotiations were foun out to a great length, and his brother maintained his station with that address and sirmness, which its importance so well merited. The universal defection of the nobility, the growing power of the protestants, who all adhered to the queen dowager, the reiterated folicitations of the French king, and above all, the interpolition of the young queen, who was now entering the twelfth year of her age, and claimed a right of nominating whom the pleafed to be regent, obliged him at last to refign that high office, which

Prevailson the regent to relign his office.

<sup>\*</sup> Cardon himself was more defirous of being confidered as an aftrologer than a philosopher; in his book De Genituris, we find a calculation of the archbishop's nativity, from which he prétends both to have predicted his disease, and to have effected his cure. He received from the archbishop a reward of 1800 crowns; a great sum in that age. De vita sua, p. 32.

<sup>&</sup>quot; Lefley, de Reb. Gest. Scot. ap. Jebb. 1. 187.

he had held many years. He obtained, however, the same Book advantageous terms for himself, which had been formerly stipulated.

It was in the parliament which met on the tenth of April She obtains one thousand five hundred and fifty-four, that the earl of the regen-Arran executed this extraordinary relignation; and at the cy. fame time Mary of Guise was raised to that dignity, which had been to long the object of her wishes. Thus, with their own approbation, a woman and a stranger was advanced to the supreme authority, over a herce and turbulent people, who feldom fubmitted, without reluctance, to the legal and

ancient government of their native monarchs.

WHILE the queen dowager of Scotland contributed fo Reformamuch towards the progress of the Reformation, by the pro- tion contitection which the afforded it, from motives of ambition; the nues to make great English queen, by her indiscreet zeal; filled the kingdom progress. with perforts active in promoting the fame cause. Mary July 6, ascended the throne of England on the death of her brother 1553-Edward, and foon after married Philip II. of Spain. To the perfecuting spirit of the Romish superstition, and the fierceness of that age, she added the private resentment of her own and of her mother's fufferings, with which the loaded the reformed religion; and the peevishness and severity of her natural temper carried the acrimony of all these passions to the utmost extreme. The cruelty of her persecution equalled the deeds of those tyrants who have been the greatest reproach to human nature. The bigotry of her clergy could scarce keep pace with the impetuosity of her zeal. Even the unrelenting Philip was obliged, on some occasions, to mitigate the rigour of her proceedings. Many among the most eminent reformers suffered for the doctrines which they had taught; others fled from the storm. To the greater part of these, Switzerland and Germany opened a fecure afylum; and not a few, out of choice or necessity, fled into Scotland. What they had feen and felt in England, did not abate the warmth and zeal of their indignation against popery. Their attacks were bolder and more successful than ever; and their doctrines made a rapid progress among all ranks of men.

THESE doctrines, calculated to rectify the opinions, and to reform the manners, of mankind, had hitherto produced no other effects; but they foon began to operate with greater violence, and proved the occasion, not only of subverting the established religion, but of shaking the throne and endangering the kingdom. The causes which facilitated the in- A view of troduction of these new opinions into Scotland, and which the politi-

diffeminated cal causes

BOOK diffeminated them so fast through the nation, merit, on that account, a particular and careful inquiry. The Reformation is one of the greatest events in the history of mankind, which con- and, in whatever point of light we view it, is instructive and tributed to- interesting.

wards that. Tur ray

THE revival of learning in the fifteenth and fixteenth centuries roused the world from that lethargy in which it had been sunk for many ages. The human mind felt its own strength, broke the fetters of authority by which it had been so long restrained, and venturing to move in a larger sphere, pushed its inquiries into every subject with great boldness and

furprifing fuccess.

No fooner did mankind recover the capacity of exercifing their reason, than religion was one of the first objects which drew their attention. Long before Luther published his famous Theses which shook the papal throne, science and philosophy had laid open, to many of the Italians, the imposture and absurdity of the established superstition. That subtle and refined people, satisfied with enjoying those discoveries in secret, were little disposed to assume the dangerous character of reformers, and concluded the knowledge of truth to be the prerogative of the wise, while vulgar minds must be overawed and governed by popular errors. But, animated with a more noble and disinterested zeal, the German theologian boldly erected the standard of truth, and upheld it with an unconquerable intrepidity, which merits the admiration and gratitude of all succeeding ages.

The occasion of Luther's being first disgusted with the tenets of the Romish church, and how, from a small rupture, the quarrel widened into an irreparable breach, is known to every one who has been the least conversant in history. From the heart of Germany his opinions spread, with astonishing rapidity, all over Europe; and, wherever they came, endangered or overturned the ancient, but ill-sounded system. The vigilance and address of the court of Rome, co-operating with the power and bigotry of the Austrian samily, suppressed these notions on their first appearance, in the southern kingdoms of Europe. But the sierce spirit of the north, irritated by multiplied impositions, could neither be mollished by the same arts, nor subdued by the same force; and encouraged by some princes from piety, and by others out of avarice, it easily bore down the seeble opposi-

tion of an illiterate and immoral clergy.

THE superstition of popery seems to have grown to the most extravagant height in those countries which are situated towards the different extremities of Europe. The vigour of

imagination

imagination, and fensibility of frame, peculiar to the inhabitants of fouthern climates, rendered them susceptible of the deepest impressions of superstitious terror and credulity. Ignorance and barbarity were no less favourable to the progress of the same spirit among the northern nations. They knew little, and were disposed to believe every thing. The most glaring absurdities did not shock their gross understandings, and the most improbable sictions were received with implicit assentiation.

Accordingly, that form of popery which prevailed in Scotland was of the most bigotted and illiberal kind. Those doctrines which are most apt to shock the human understanding, and those legends which farthest exceed belief, were proposed to the people without any attempt to palliate or disguise them; nor did they ever call in question the reasonableness of the one, or the truth of the other.

THE power and wealth of the church kept pace with the progress of superstition; for it is the nature of that spirit to observe no bounds in its respect and liberality towards those whose character it esteemes facred. The Scottish kings early demonstrated how much they were under its influence, by their vast additions to the immunities and riches of the The profuse piety of David I. who acquired on that account the name of Saint, transferred almost the whole crown lands, which were at that time of great extent, into the hands of the ecclefiaftics. The example of that virtuous prince was imitated by his fucceffors. The spirit fpread among all orders of men, who daily loaded the priefthood with new possessions. The riches of the church all over Europe were exorbitant; but Scotland was one of those countries, wherein they had farthest exceeded the just pro-The Scottish clergy paid one half of every tax imposed on land; and as there is no reason to think that in that age they would be loaded with any unequal share of the burden, we may conclude that, by the time of the Reformation, little less than one half of the property in the nation had fallen into the hands of a fociety, which is always acquiring, and can never lofe.

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THE nature, too, of a confiderable part of their property extended the influence of the clergy. Many estates, throughout the kingdom, held of the church; church-lands were let in lease at an easy rent, and were possessed by the younger sons and descendants of the best families. The connection, between superior and vasfal, between landlord and tenant,

Keith, 521. Not. (b).

created

BOOK created dependences, and gave rife to an union of great advantage to the church; and in estimating the influence of the popish ecclesiastics over the nation, these, as well as the real amount of their revenues, must be attended to, and taken into the account.

> THIS extraordinary share in the national property was accompanied with proportionable weight in the supreme council of the kingdom. At a time when the number of the temporal peers was extremely small, and when the leffer barons and reprefentatives of boroughs feldom attended parliaments, the ecclefiaftics formed a confiderable body there. It appears from the ancient rolls of parliament, and from the manner of chusing the lords of articles, that the proceedings of that high court must have been, in a great meafure, under their direction ".

> THE revetence due to their facred character, which was often carried incredibly far, contributed not a little towards the growth of their power. The dignity, the titles, and precedence of the popish clergy are remarkable, both as causes and effects of that dominion which they had acquired over the rest of mankind. They were regarded by the credulous laity as beings of a fuperior species; they were neither fubject to the fame laws, nor tried by the fame judges \*. Every guard that religion could supply, was placed around their power, their possessions and their persons; and endeavours were used, not without success, to represent them all as equally facred.

> THE reputation for learning, which, however inconsiderable, was wholly engroffed by the clergy, added to the reverence which they derived from religion. The principles of found philosophy, and of a just taste, were altogether unknown; in place of these were substituted studies barbarous and uninftructive; but as the ecclefiaftics alone were conversant in them, this procured them esteem; and a very slender portion of knowledge drew the admiration of rude ages, which knew little. War was the fole profession of the nobles, and hunting their chief amusement; they divided their time between these: unacquainted with the arts, and unimproved by science, they disdained any employment

Spotf. Hift. of the church of Scotland, 449.

<sup>\*</sup> How far this claim of the clergy to exemption from lay-jurisdiction extended, appears from a remarkable transaction in the parliament held in 1546. When that court was proceeding to the forfeiture of the murderers of cardinal Beatoun, and were about to include a priest, who was one of the affaffins, in the general fentence of condemnation, odious as the crime was to ecclefialtics, a delegate appeared in their name, and repledged or claimed exemption of him from the judgment of parliament as a spiritual man. This claim was sustained; and his name is not inferted in the act of forfeiture. Epift. Reg. Scot. ii. 350. 361.

foreign from military affairs, or which required rather penetration and address, than bodily vigour. Wherever the former were necessary, the clergy were entrusted; because they alone were properly qualified for the trust. Almost all the high offices in civil government devolved, on this account, into their hands. The lord chancellor was the first subject in the kingdom, both in dignity and in power. From the earliest ages of the monarchy, to the death of cardinal Beatoun, fifty-four persons had held that high office; and of these, forty-three had been ecclesiastics. The lords of session were supreme judges in all matters of civil right; and by its original constitution, the president and one half of the senators in this court were churchmen.

To all this we may add, that the clergy being separated from the rest of mankind by the law of celibacy, and undistracted by those cares, and unincumbered with those burdens, which occupy and oppress other men, the interest of their order became their only object, and they were at full

leifure to pursue it.

THE nature of their function gave them access to all perfons and at all seasons. They could employ all the motives of sear and of hope, of terror and of consolation, which operate most powerfully on the human mind. They haunted the weak and the credulous; they besieged the beds of the sick and of the dying; they suffered sew to go out of the world without leaving marks of their liberality to the church, and taught them to compound with the Almighty for their sins, by bestowing riches upon those who called themselves his servants.

When their own industry, or the superstition of mankind, failed of producing this effect, the ecclesiastics had influence enough to call in the aid of law. When a person died intestate, the disposal of his effects was vested in the bishop of the diocese, after paying his suneral charges and debts, and distributing among his kindred the sums to which they were respectively entitled: it being presumed that no Christian would have chosen to leave the world without destining some part of his substance to pious uses. As men are apt to trust to the continuance of life with a fond considence, and child-ishly shun every thing that forces them to think of their mortality, many die without settling their affairs by will; and the right of administration in that event, acquired by the clergy, must have proved a considerable source both of wealth and of power to the church.

Crawf. Offic. of State. Effays on Brit. Antiq. 174. Annals of Scotland, by Sir David Dalrymple, Vol. i. Append. No ii.

AT

BOOK II. At the same time, no matrimonial or testamentary cause could be tried but in the spiritual courts, and by laws which the clergy themselves had framed. The penalty too, by which the decisions of these courts were enforced, added to their authority. A sentence of excommunication was no less formidable than a sentence of outlawry. It was pronounced on many occasions, and against various crimes: and besides excluding those, upon whom it fell, from Christian privileges, it deprived them of all their rights as men, or as citizens; and the aid of the secular power concurred with the superstition of mankind, in rendering the thunders of the church no less destructive than terrible.

To these general causes may be attributed the immense growth both of the wealth and power of the popish church; and without entering into any more minute detail, this may ferve to discover the soundations on which a structure so stu-

pendous was erected.

Bur though the laity had contributed, by their own fuperfittion and profuseness, to raise the clergy from poverty and obscurity to riches and eminence, they began, by degrees, to seel and to murmur at their encroachments. No wonder haughty and martial barons should view the power and posfessions of the church with envy; and regard the lazy and inactive character of churchmen with the utmost contempt; while, at the same time, the indecent and licentious lives of the clergy, gave great and just offence to the people, and considerably abated the veneration which they were ac-

customed to yield to that order of men.

IMMENSE wealth, extreme indolence, gross ignorance, and, above all, the severe injunction of celibacy, had concurred to introduce this corruption of morals among many of the clergy, who, presuming too much upon the submission of the people, were at no pains either to conceal or to disguise their own vices. According to the accounts of the reformers, confirmed by several popish writers, the most open and scandalous dissolution of manners prevailed among the Scottish clergy. Cardinal Beatoun, with the same public pomp which is due to a legitimate child, celebrated the marriage of his natural daughter with the earl of Crawfords son; and, if we may believe Knox, he publicly continued to the end of his days a criminal correspondence with her mother, who was a woman of rank. The other prelates seem not to have been more regular and exemplary than their primate.

MEN

A remarkable proof of the diffolute manners of the clergy is found in the public

<sup>&</sup>lt;sup>a</sup> Winzet. ap. Keith, Append. 202. 205. Lest. de Reb. Gest. Scot. 232.

<sup>b</sup> The marriage articles, subscribed with his own hand, in which he calls her my daughter, are still extant. Keith, p. 42.

MEN of fuch characters ought, in reason, to have been Book alarmed at the first clamours raised against their own morals, and the doctrines of the church, by the protestant preachers; but the popish ecclesiastics, either out of pride or ignorance, neglected the proper methods for silencing them. Instead of reforming their lives, or disguising their vices, they affected to despise the censures of the people. While the reformers, by their mortifications, and austerities, endeavoured to resemble the first propagators of Christianity, the popish clergy were compared to all those persons who are most infamous in history for the enormity and scandal of their crimes.

On the other hand, instead of mitigating the rigour, or colouring over the absurdity of the established doctrines; instead of attempting to found them upon scripture, or to reconcile them to reason; they left them without any other support or recommendation, than the authority of the church and the decrees of councils. The sables concerning purgatory, the virtues of pilgrimage, and the merits of the saints, were the topics on which they insisted in their discourses to the people; and the duty of preaching being left wholly to monks of the lowest and most illiterate orders, their compositions were still more wretched and contemptible, than the subjects on which they insisted. While the reformers were attended by crowded and admiring audiences, the popish preachers were either universally deserted, or listened to with scorn.

The only device which they employed in order to recover their declining reputation, or to confirm the wavering faith of the people, was equally imprudent and unfuccessful. As many doctrines of their church had derived their credit at first from the authority of false miracles, they now endeavoured to call in these to their aid d. But those lying wonders, which were beheld with unsuspicious admiration, or heard with implicit faith, in times of darkness and of ignorance, met with a very different reception in a more enlightened period. The vigilance of the reformers detected these impostures, and exposed not only them, but the cause which needed the aid of such artifices, to ridicule.

As

public records. A greater number of letters of legitimation was granted during the first thirty years after the Reformation, than during the whole period that has elapsed since that time. These were obtained by the sons of the popsish elergy. The ecclesiastics, who were allowed to retain their benefices, alienated them to their children; who, when they acquired wealth, were desirous that the stain of illegitimacy might no longer remain upon their families. In Keith's Catalogue of the Scottish Bishops, we find several instances of such alienations of church lands, by the popsish incumbents, to their natural children.

\* Spotswood, 69.

BOOK TI.

As the popish ecclesiastics became more and more the objects of hatred and of contempt, the discourses of the reformers were liftened to as so many calls to liberty; and besides the pious indignation which they excited against those corrupt doctrines which had perverted the nature of true Christianity; besides the zeal which they inspired for the knowledge of truth and the purity of religion; they gave rife also, among the Scottish nobles, to other views and passions. They hoped to shake off the yoke of ecclesiastical dominion, which they had long felt to be oppressive, and which they now discovered to be unchristian. They expected to recover possession of the church revenues, which they were now taught to confider as alienations made by their ancestors, with a profusion no less undiscerning than unbounded. They flattered themselves, that a check would be given to the pride and luxury of the clergy, who would be obliged, henceforward, to confine themselves within the fphere peculiar to their facred character. An aversion for the established church, which slowed from so many concurring causes, which was raised by considerations of religion, and heightened by motives of policy, spread fast through the nation, and excited a spirit, that burst out, at last, with irrefistible violence.

Religious confiderations alone were sufficient to have roused this spirit. The points in controversy with the church of Rome were of fo much importance to the happiness of mankind, and so essential to Christianity, that they merited all the zeal with which the reformers contended in order to establish them. But the reformation having been represented as the effect of some wild and enthusiastic frenzy in the human mind, this attempt to account for the eagerness and zeal with which our ancestors embraced and propagated the protestant doctrines, by taking a view of the political motives alone which influenced them, and by shewing how naturally these prompted them to act with so much ardour, will not, perhaps, be deemed an unnecessary digression.

We now return to the course of the history.

1554.

The queen regent begins her administration with pular mea-

THE queen's elevation to the office of regent feems to have transported her, at first, beyond the known prudence and moderation of her character. She began her administration, by conferring upon foreigners several offices of trust and of dignity; a step which, both from the inability of strangers to discharge these offices with vigour, and from the envy which some unpo- their preferment excites among the natives, is never attended with good confequences. Vilmort was made comptroller, and entrusted with the management of the public revenues;

Bonot was appointed governor of Orkney; and Rubay honoured with the custody of the great seal, and the title of
vice chancellor. It was with the highest indignation, that
the Scots beheld offices of the greatest eminence and authority dealt out among strangers. By these promotions they
conceived the queen to have offered an insult both to their
understandings and to their courage; to the former, by supposing them unsit for those stations which their ancestors had
filled with so much dignity: to the latter, by imagining that
they were tame enough not to complain of an affront,
which, in no former age, would have been tolerated with
impunity.

WHILE their minds were in this disposition, an incident happened which inflamed their aversion from French councils to the highest degree. Ever since the famous contest between the houses of Valois and Plantagenet, the French had been accustomed to embarrass the English, and to divide their strength, by the sudden and formidable incursions of their allies, the Scots. But, as these inroads were seldom attended with any real advantage to Scotland, and exposed it to the dangerous refentment of a powerful neighbour, the Scots began to grow less tractable than formerly, and scrupled any longer to ferve an ambitious ally at the price of their own quiet and fecurity. The change, too, which was daily introducing in the art of war, rendered the affiftance of the Scottish forces of less importance to the French monarch. For these reasons, Henry having resolved upon a war with Philip II. and foreseeing that the queen of England would take part in her husband's quarrel, was extremely folicitous to fecure in Scotland the affiftance of some troops, which would be more at his command than an undisciplined army, led by chieftains who were almost independent. In profecution of this defign, but under pretence of relieving the nobles from the expence and danger of defending the borders, the queen regent proposed, in parliament to register the value of lands throughout the kingdom, to impose on them a fmall tax, and to apply that revenue towards maintaining a body of regular troops in conftant pay. A fixed tax upon land, which the growing expence of government hath introduced into almost every part of Europe, was unknown at that time, and feemed altogether inconfiftent with the genius of feudal government. Nothing could be more

1555.

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<sup>·</sup> Lefley de Reb. Gest. Scot. 189.

The refertment of the nation against the French rose to such a height, that an act of parliament was passed on purpose to restrain or moderate it. Parl. 6. Q. Mary, c. 60.

1555.

BOOK shocking to a generous and brave nobility, than the entrusting to mercenary hands, the defence of those territories which had been acquired, or preferved, by the blood of their ancestors. They received this proposal with the utmost dissatisfaction. About three hundred of the lesser barons repaired in a body to the queen regent, and reprefented their fense of the intended innovation, with that manly and determined boldness which is natural to a free people in a martial age. Alarmed at a remonstrance delivered in fo firm a tone, and supported by such formidable numbers, the queen prudently abandoned a scheme, which she found to be univerfally odious. As the queen herself was known perfectly to understand the circumstances and temper of the nation, this measure was imputed wholly to the fuggestions of her foreign counsellors; and the Scots were ready to proceed to the most violent extremities against

Attempts to engage the kingdom in a war with England.

THE French, instead of extinguishing, added fuel to the flame. They had now commenced hostilities against Spain, and Philip had prevailed on the queen of England to reinforce his army with a confiderable body of her troops. In order to deprive him of this aid, Henry had recourse, as he projected, to the Scots; and attempted to excite them to invade England. But, as Scotland had nothing to dread from a princess of Mary's character, who, far from any ambitious scheme of disturbing her neighbours, was wholly occupied in endeavouring to reclaim her heretical subjects; the nobles, who were affembled by the queen regent at Newbattle, liftened to the folicitations of the French monarch with extreme coldness, and prudently declined engaging the kingdom in an enterprife fo dangerous and unneceffary. What she could not obtain by persuasion, the queen regent brought about by a stratagem. Notwithstanding the peace which subfifted between the two kingdoms, she commanded her French foldiers to rebuild a small fort near Berwick, which was appointed by the last treaty to be rased. The garrison of Berwick fallied out; interrupted the work; and ravaged the adjacent country. This infult roused the fiery spirit of the Scots and their promptness to revenge the least appearance of national injury, diffipated, in a moment, the wife and pacific resolutions which they had so lately formed. War was determined, and orders instantly given for raising a numerous army. But before their forces could affemble, the ardour of their indignation had time to cool, and the English having discovered no intention to push the war with vigour, the nobles refumed their pacific system, and resolved

1556.

to stand altogether upon the defensive. They marched to BOOK the banks of the Tweed, they prevented the incursions of the enemy; and having done what they thought sufficient for the fafety and honour of their country, the queen could not induce them, either by her entreaties or her artifices, to

advance another step.

WHILE the Scots perfifted in their inactivity, D'Oyfel, the commander of the French troops, who possessed entirely the confidence of the queen regent, endeavoured, with her connivance, to engage the two nations in hostilities. Contrary to the orders of the Scottish general, he marched over the Tweed with his own foldiers, and invested Werk, a garrison of the English. The Scots, instead of seconding his attempt, were enraged at his prefumption. The queen's partiality towards France had long been suspected; but it was now visible that she wantonly facrificed the peace and fafety of Scotland, to the interest of that ambitious and assuming ally. Under the feudal governments, it was in camps that subjects were accustomed to address the boldest remonstrances to their fovereigns. While arms were in their hands, they felt their own strength; and at that time all their representations of grievances carried the authority of commands. On this occasion, the refentment of the nobles broke out with fuch violence, that the queen, perceiving all attempts to engage them in action to be vain, abruptly dismissed her army, and retired with the utmost shame and disgust; having difcovered the impotence of her own authority, without effecting any thing which could be of advantage to France 8.

IT is observable, that this first instance of contempt for the regent's authority can, in no degree, be imputed to the influence of the new opinions in religion. As the queen's pretentions to the regency had been principally supported by those who favoured the Reformation, and as she still needed them for a counterpoise to the archbishop of St. Andrew's, and the partifans of the house of Hamilton; she continued to treat them with great refpect, and admitted them to no inconfiderable share in her favour and confidence. Kirkaldy of Grange, and the other furviving conspirators against cardinal Beatoun, were, about this time, recalled by her from banishment; and, through her connivance, the protestant preachers enjoyed an interval of tranquillity, which was of great advantage to their cause. Soothed by these instances of the queen's moderation and humanity, the protestants left to others the office of remonstrating; and the leaders of

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sook the opposite faction set them the first example of disputing the will of their sovereign.

The queen's marriage with the dauphin.

As the queen regent felt how limited and precarious her authority was, while it depended on the poife of these contrary factions, the endeavoured to establish it on a broader and more fecure foundation, by hastening the conclusion of her daughter's marriage with the dauphin. Amiable as the queen of Scots then was, in the bloom of youth, and considerable as the territories were, which she would have added to the French monarchy; reasons were not wanting to disfuade Henry from completing his first plan of marrying her to his fon. The conftable Montmorency had employed all his interest to defeat an alliance which reflected so much lustre on the princes of Lorrain. He had represented the impossibility of maintaining order and tranquillity among a turbulent people, during the absence of their sovereign; and for that reason had advised Henry to bestow the young queen upon one of the princes of the blood, who, by refiding in Scotland might preserve that kingdom an useful ally to France, which, by a nearer union to the crown, would become a mutinous and ungovernable province". But at this time the constable was a prisoner in the hands of the Spaniards; the princes of Lorrain were at the height of their power; and their influence, seconded by the charms of the young queen, triumphed over the prudent, but envious, remonstrances of their tival.

Dec. 14,

THE French king accordingly applied to the parliament of Scotland, which appointed eight of its members to reprefent the whole body of the nation, at the marriage of the queen. Among the persons on whom the public choice conferred this honourable character, were some of the most avowed and zealous advocates for the Reformation; by which may be estimated the degree of respect and popularity which that party had now attained in the kingdom. instructions of the parliament to those commissioners still remain k, and do honour to the wisdom and integrity of that affembly. At the same time that they manifested, with tespect to the articles of marriage, a laudable concern for the dignity and interest of their sovereign, they employed every precaution which prudence could dictate, for preferving the liberty and independence of the nation, and for fecuring the fuccession of the crown in the house of Hamilton.

WITH

\* Keith, Append. 13.

h Melv. Mem. 15.

i Viz. The archbishop of Glasgow, the bishop of Ross, the bishop of Orkney, the earls of Rothes and Cassils, lord Fleming, lord Seton, the prior of St. Andrew's, and John Erskine of Dun.

WITH regard to each of these, the Scots obtained what- B o o k ever fatisfaction their fear or jealoufy could demand. The young queen, the dauphin, and the king of France, ratified every article with the most solemn oaths, and confirmed Anisces of them by deeds in form under their hands and feals. But on the French the part of France, all this was one continued scene of in the marstudied and elaborate deceit. Previous to these public transactions with the Scottish deputies, Mary had been persuaded to subscribe privately three deeds, equally unjust and invalid; by which, failing the heirs of her own body, the conferred the kingdom of Scotland, with whatever inheritance or succession might accrue to it, in free gift upon the crown of France, declaring all promifes to the contrary, which the necessity of her affairs, and the solicitations of her subjects, had extorted, or might extort from her, to be void and of no obligation 1. As it gives us a proper idea of the character of the French court under Henry II. we may observe that the king himself, the keeper of the great seals, the duke of Guife, and the cardinal of Lorrain, were the persons engaged in conducting this perfidious and dishonourable project. The queen of Scots was the only innocent actor in ' that scene of iniquity. Her youth, her inexperience, her education in a foreign country, and her deference to the will of her uncles, must vindicate her, in the judgment of every impartial person, from any imputation of blame on that account.

THIS grant, by which Mary bestowed the inheritance of her kingdom upon strangers, was concealed with the utmost care from her fubjects. They feem, however, not to have been unacquainted with the intention of the French to overturn the fettlement of the fuccession in favour of the duke of Chatelherault. The zeal with which the archbishop of St. Andrew's opposed all the measures of the queen regent, evidently proceeded from the fears and fuspicions of that prudent prelate on this head m.

THE marriage, however, was celebrated with great pomp; April 14, and the French, who had hitherto affected to draw a veil 1558. over their defigns upon Scotland, began now to unfold their intentions without any disguise. In the treaty of marriage, the deputies had agreed that the dauphin should assume the name of King of Scotland. This they confidered only as an honorary title; but the French laboured to annex to it some

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<sup>1</sup> Corps Diplomat. tom. v. 21. Keith, 73.

m About this time the French feem to have had some design of reviving the earl of Lennox's pretensions to the succession, in order to intimidate and alatmtheduke of Chatelherault. Haynes, 315. 219. Forbes's Collect. vol. i. 189.

BOOK folid privileges and power. They infifted that the dauphin's title should be publicly recognised; that the Crown Matrimonial should be conferred upon him; and that all the rights pertaining to the husband of a queen should be vested in his person. By the laws of Scotland, a person who married an heirefs kept poffession of her estate during his own life, if he happened to furvive her and the childern born of the marriage n. This was called the courtefy of Scotland. The French aimed at applying this rule, which takes place in private inheritances, to the fuccession of the kingdom; and that feems to be implied in their demand of the Crown Matrimonial, a phrase peculiar to the Scottish historians, and which they have neglected to explain °. As the French had reason to expect dissiculties in carrying through this meafure, they began with founding the deputies who were then at Paris. The English in the marriage-articles between their queen and Philip of Spain, had fet an example to the age, of that prudent jealoufy and referve with which a foreigner should be admitted so near the throne. Full of the fame ideas, the Scottish deputies had, in their oath of allegiance to the dauphin, expressed themselves with remarkable caution p. Their answer was in the same spirit, respectful, but firm; and discovered a fixed resolution of consenting to nothing that tended to introduce any alteration in the order of fuccession to the crown.

Four of the deputies happening to die before they returned into Scotland, this accident was univerfally imputed to the effects of poison, which was supposed to have been given them by the emissaries of the honse of Guise. The historians of all nations discover an amazing credulity with respect to rumours of this kind, which are so well calculated to please the malignity of some men, and to gratify the love of the marvellous which is natural to all, that in every age

n Reg. Maj. lib. if. 58.

Keith, Append. 20. The bishop of Orkney, the earl of Rothes, the earl of Cassils, and lord Fleming.

o As far as I can judge, the husband of the queen, by the grant of the Crown Matrimonial, acquired a right to assume the title of king, to have his name stamped upon the current coin, and to fign all public instruments together with the queen. In confequence of this, the subjects took an oath of fidelity to him. Keith, Append. 20. His authority became, in some measure, co-ordinate with that of the queen; and without his concurrence, manifested by signing his name, no public deed feems to have been confidered as valid. By the oath of fidelity of the Scottish commissioners to the dauphin, it is evident that, in their opinion, the rights belonging to the Crown Matrimonial subsisted only during the continuance of the marriage. Keith, Append. 20. But the conspirators against Rizio bound themselves to procure a grant of the Grown Matrimonial to Darnley during all the days of his life. Keith, Append. 120. Good. i. 227.

they have been swallowed without examination, and believed BOOK contrary to reason. No wonder the Scots should easily give credit to a fuspicion, which received such strong colours of probability, both from their own refentment, and from the known character of the princes of Lorrain, fo little scrupulous about the justice of the ends which they purfued, or of the means which they employed. For the honour of human nature it must, however, be observed, that as we can discover no motive which could induce any man to perpetrate fuch a crime, fo there appears no evidence to prove that it was committed. But the Scots of that age, influenced by national animofities and prejudices, were incapable of examining the circumstances of the case with calmness, or of judging concerning them with candour. All parties agreed in believing the French to have been guilty of this detestable action; and it is obvious how much this tended to increase the aversion for them, which was growing among all ranks

NOTWITHSTANDING the cold reception which their pro- The regent pofal concerning the Crown Matrimonial met with from the prevails on Scottish deputies, the French ventured to move it in parlia- the parlia- ment to The partifans of the house of Hamilton, suspicious grant it. of their defigns upon the fuccession, opposed it with great Nov. 29. zeal. But a party, which the feeble and unsteady conduct of their leader had brought under much difreputation, was little able to withstand the influence of France, and the address of the queen regent, seconded, on this occasion, by all the numerous adherents of the Reformation. Befides, that artful princess dressed out the French demands in a less offensive garb, and threw in so many limitations, as seemed to render them of small consequence. These either deceived the Scots, or removed their fcruples; and in compliance to the queen, they passed an act, conferring the Crown Matrimonial on the dauphin; and with the fondest credulity, trusted to the frail security of words and statutes, against the dangerous encroachments of power 1.

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THE concurrence of the protestants with the queen regent, Continues in promoting a measure so acceptable to France, while the to court popish clergy, under the influence of the archbishop of St. the protest-Andrew's, opposed it with so much violences, is one of those VOL. I.

The act of parliament is worded with the utmost care, with a view to guard against any breach of the order of succession. But the duke, not relying on this alone, entered a solemn protestation to secure his own right. Keith, 76. It is plain, that he suspected the French of having some intention to set aside his right of succession; and indeed, if they had no design of that kind, the eagerness with which they urged their demand, was childish, Melv. 47.

BOOK fingular circumstances in the conduct of parties, for which this period is fo remarkable. It may be afcribed, in some degree, to the dexterous management of the queen, but chiefly to the moderation of those who favoured the Reformation. The protestants were by this time almost equal to the catholics, both in power and in number; and, conscious of their own strength, they submitted with impatience to that tyrannical authority with which the ancient laws armed the ecclefiaftics against them. They longed to be exempted from this oppressive jurisdiction, and publicly to enjoy the liberty of professing those opinions, and of exercising that worship, which fo great a part of the nation deemed to be founded in truth, and to be acceptable to the Deity. This indulgence, to which the whole weight of priestly authority was opposed, there were only two ways of obtaining. violence must extort it from the reluctant hand of their sovereign, or by prudent compliances they might expect it from her favour or her gratitude. The former is an expedient for the redrefs of grievances, to which no nation has recourse fuddenly; and fubjects feldom venture upon refistance, which is their last remedy, but in cases of extreme necessity. On this occasion the Reformers wifely held the opposite course, and by their zeal in forwarding the queen's defigns, they hoped to merit her protection. This disposition the queen encouraged to the utmost, and amused them so artfully with many promifes, and fome concessions, that, by their affiftance, she furmounted in parliament the force of a national and laudable jealoufy, which would otherwise have fwayed with the greater number.

Another circumstance contributed somewhat to acquire the regent fuch confiderable influence in this parliament. In Scotland, all the bishoprics, and those abbeys which conferred a title to a feat in parliament, were in the gift of the crown's From the time of her accession to the regency, the queen had kept in her own hands almost all those which became vacant, except fuch as were, to the great difgust of the nation, bestowed upon foreigners. Among these, her brother, the cardinal of Lorrain had obtained the abbeys of Kelso and Melrofs, two of the most wealthy foundations in the king-By this conduct, the thinned the ecclefiaftical bench\*, which was entirely under the influence of the archbishop of St. Andrew's, and which, by its numbers and authority, usually had great weight in the house, so as to ren-

t See Book I. u Lesley, 202. \* It appears from the rolls of this parliament, which Lesley calls a very full one, that only feven bishops and fixteen abbots were present.

der any opposition it could give at that time of little confe- Book quence.

THE earl of Argyll, and James Stewart prior of St. Andrew's, one the most powerful, and the other the most popular leader of the protestants, were appointed to carry the crown and other enfigns of royalty to the dauphin. But from this they were diverted by the part they were called to act in a more interesting scene, which now begins to open.

Before we turn towards this, it is necessary to observe, Elizabeth that on the seventeenth of November, one thousand five the crown hundred and fifty-eight, Mary of England finished her short of England. and inglorious reign. Her fifter Elizabeth took possession of the throne without opposition; and the protestant religion was, once more, established by law in England. The accession of a queen, who, under very difficult circumstances, had given strong indications of those eminent qualities, which, in the fequel, rendered her reign fo illustrious, attracted the eyes of all Europe. Among the Scots, both parties observed her first motions with the utmost solicitude, as they eafily forefaw that the would not remain long an indifferent spectator of their transactions.

UNDER many discouragements and much oppression, the Reformation advanced towards a full establishment in Scotland. All the low country, the most populous, and at that time the most warlike part of the kingdom, was deeply tinctured with the protestant opinions; and if the same impressions were not made in the more distant counties, it was owing to no want of the fame dispositions among the people, but to the feareity of preachers, whose most indefatigable zeal could not fatisfy the avidity of those who defired their instructions. Among a people bred to arms, and as prompt as the Scots to act with violence; and in an age when religious passions had taken fuch strong possession of the human mind, and moved and agitated it with fo much violence, the peaceable and regular demeanor of fo numerous a party is aftonishing. From the death of Mr. Patrick Hamilton, the first who suffered in Scotland for the protestant religion, thirty years had elapsed, and during so long a period no violation of public order or tranquillity had proceeded from that lett; and though roufed and irritated by the most cruel excesses of ecclesiastical tyranny, they did, in no instance, transgress those bounds of daty which the law prescribes to subjects.

The murder of cardinal Beatoun was occasioned by private revenge, and being contrived and executed by fixteen persons only, cannot with justice be imputed to the whole protestant party.

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BOOK Besides the prudence of their own leaders, and the protection which the queen regent, from political motives, afforded them, the moderation of the archbishop of St. Andrew's encouraged this pacific disposition. That prelate, whose private life cotemporary writers tax with great irregularities 2, governed the church, for some years, with a temper and prudence of which there are few examples in that age. But some time before the meeting of last parliament, the archbishop departed from those humane maxims by which he had hitherto regulated his conduct; and whether in spite to the queen, who had entered into so close an union with the protestants, or in compliance with the importunities of his clergy, he let loofe all the rage of perfecution against the reformed; fentenced to the flames an aged prieft, who had been convicted of embracing the protestant opinions; and fummoned several others, suspected of the same crime, to appear before a fynod of the clergy, which was foon to

convene at Edinburgh.

NOTHING could equal the horror of the protestants at this unexpected and barbarous execution, but the zeal with which they espoused the defence of a cause that now seemed devoted to destruction. They had immediate recourse to the queen regent; and as her fuccess in the parliament, which was then about to meet, depended on their concurrence, she not only sheltered them from the impending storm, but permitted them the exercise of their religion with more freedom than they had hitherto enjoyed. Unfatisfied with this precarious tenure by which they held their religious liberty, the protestants laboured to render their possession of it more fecure and independent. With this view they determined to petition the parliament for some legal protection against the exorbitant and oppressive jurisdiction of the ecclesiastical courts, which, by their arbitrary method of proceeding, founded in the canon law, were led to sentences the most shocking to humanity, by maxims the most repugnant to justice. But the queen, who dreaded the effect of a debate on this delicate subject, which could not fail of exciting high and dangerous passions, prevailed on the leaders of the party, by new and more folemn promises of her protection, to defist from any application to parliament, where their numbers and influence would, in all probability, have procured them, if not the entire redrefs, at least some mitigation, of their grievances.

THEY

THEY applied to another affembly, to a convocation of the BOOK popish clergy, but with the fame ill success which hath always attended every proposal for reformation, addressed to that order of men. To abandon usurped power, to renounce lucrative error, are facrifices, which the virtue of individuals has, on some occasions, offered to truth; but from any society of men no fuch effort can be expected. The corruptions of a fociety, recommended by common utility, and justified by universal practice, are viewed by its members without shame or horror; and reformation never proceeds from themselves, but is always forced upon them by some foreign hand. Suitable to this unfeeling and inflexible spirit was the behaviour of the convocation in the prefent conjunc-All the demands of the protestants were rejected with contempt; and the popish clergy, far from endeavouring, by any prudent concessions, to sooth and to reconcile such a numerous body, afferted the doctrines of their church, concerning some of the most exceptionable articles, with an illtimed rigour which gave new offence a.

DURING the fitting of the convocation, the protestants first began to suspect some change in the regent's disposition towards them. Though joined with them for many years by interest, and united as they conceived, by the strongest ties of affection and of gratitude, the discovered, on this occasion, evident fymptoms, not only of coldness, but of a growing difgust and aversion. In order to account for this, our hiftorians do little more than produce the trite observations concerning the influence of prosperity to alter the character and to corrupt the heart. The queen, fay they, having reached the utmost point to which her ambition aspired, no longer preferved her accustomed moderation, but, with an infolence usual to the fortunate, looked down upon those by whose affistance she had been enabled to rise so high. But it is neither in the depravity of the human heart, nor in the ingratitude of the queen's disposition, that we must fearch for the motives of her present conduct. These were derived from another, and a more remote fource, which, in order to clear the subsequent transactions, we shall endeavour to open with some care.

THE ambition of the princes of Lorrain had been no less Ambitious fuccefsful than daring; but all their schemes were distin- views of guished by being vast and unbounded. Though strangers at the princes the court of France, their eminent qualities had raised them. the court of France, their eminent qualities had raifed them, in a short time, to an height of power, superior to that of all other fubjects, and had placed them on a level even with

1559.

BOOK the princes of the blood themselves. The church, the army, the revenue, were under their direction. Nothing but the royal dignity remained unattained, and they were elevated to a near alliance with it, by the marriage of the queen of Scots to the dauphin. In order to gratify their own vanity, and to render their niece more worthy the heir of France, they fet on foot her claim to the crown of England, which

was founded on pretences not unplaufible.

THE tragical amours and marriages of Henry VIII. are known to all the world. Moved by the caprices of his love, or of his refentment, that impatient and arbitrary monarch had divorced or beheaded four of the fix queens whom he married. In order to gratify him, both his daughters had been declared illegitimate by act of parliament; and yet, with that fantaftic inconfiftence which diftinguishes his character, he, in his last will, whereby he was empowered to fettle the order of fuccession, called both of them to the throne upon the death of their brother Edward; and, at the fame time, paffing by the posterity of his eldest fister Margaret queen of Scotland, he appointed the line of fuccession to continue in the descendants of his younger fister, the duchess of Suffolk.

In consequence of this destination, the validity whereof was admitted by the English, but never recognized by foreigners, Mary had reigned in England without the leaft complaint of neighbouring princes. But the fame causes which facilitated her accession to the throne, were obstacles to the elevation of her fifter Elizabeth, and rendered her possession of it precarious and infecure. Rome trembled for the catholic faith, under a protestant queen of such emiment abilities. The same superstitious fears alarmed the court of Spain. France beheld with concern a throne, to which the queen of Scots could form fo many pretentions, occupied by a rival, whose birth, in the opinion of all good catholics, excluded her from any legal right of fuccession. The impotent hatred of the Roman pontiff, or the flow councils of Philip II. would have produced no fudden or formidable effect. The ardent and impetuous ambition of the princes of Lorrain, who at that time governed the court of France, was more decifive, and more to be dreaded. Inftifuade Mary gated by them, Henry, foon after the death of Mary, perthe title of fuaded his daughter-in-law, and her hufband, to affirme the tisle of king and queen of England. They affected to publish this to all Europe. They used that style and appellation in public papers, fome of which still remain b. The

They perto assume queen of England.

arms

arms of England were engraved on their coin and plate, and BOOK borne by them on all occasions. No preparations, however, were made to support this impolitic and premature claim. Elizabeth was already feated on her throne; she possessed all the intrepidity of spirit, and all the arts of policy, which were necessary for maintaining that station. England was growing into reputation for naval power. The marine of France had been utterly neglected; and Scotland remained the only avenue by which the territories of Elizabeth could be approached. It was on that fide, therefore, that the Refolve to princes of Lorrain determined to make their attack ; and, invade by using the name and pretensions of the Scottish queen, England. they hoped to rouse the English catholics, formidable at that time by their zeal and numbers, and exasperated to the utmost against Elizabeth, on account of the change which she had made in the national religion.

1559.

IT was vain to expect the affiftance of the Scottish pro- in order to testants to dethrone a queen, whom all Europe esteemed this, nethe guardian and defender of the reformed faith. To break ceffary to the power and reputation of that party in Scotland became, Reformafor this reason, a necessary step towards the invasion of Eng- tion in land. With this the princes of Lorrain refolved to open Scotland. their scheme. And as persecution was the only method for suppressing religious opinions known in that age, or dictated by the despotic and fanguinary spirit of the Romish superstition, this, in its utmost violence, they determined to em-The earl of Argyll, the prior of St. Andrew's, and other leaders of the party, were marked out by them for immediate destruction d; and they hoped, by punishing them, to intimidate their followers. Instructions for this purpose were fent from France to the queen regent. That humane and fagacious princefs condemned a measure which was equally violent and impolitic. By long refidence in Scotland, fhe had become acquainted with the eager and impatient temper of the nation; she well knew the power, the number, and popularity of the protestant leaders; and had been a witness to the intrepid and unconquerable resolution which religious fervour could inspire. What then could be gained by roufing this dangerous spirit, which hitherto all the arts of policy had scarcely been able to restrain? If it once broke loofe, the authority of a regent would be little capable to fubdue, or even to moderate, its rage. If, in order to quell it; foreign forces were called in, this would give the alarm to the whole nation, irritated already at the excessive power which

BOOK which the French possessed in the kingdom, and suspicious of all their defigns. Amidst the shock which this might occasion, far from hoping to exterminate the protestant doctrine, it would be well if the whole fabric of the established church were not shaken, and perhaps overturned from the foundation. These prudent remonstrances made no impresfion on her brothers; precipitant, but inflexible in all their resolutions, they insisted on the full and rigorous execution of their plan. Mary, passionately devoted to the interest of France, and ready, on all occasions, to facrifice her own opinions to the inclinations of her brothers, prepared to execute their commands with implicit fubmiffione, and, contrary to her own judgment and to all the rules of found policy, she became the instrument of exciting civil commotions in Scotland, the fatal termination of which she forefaw and dreaded.

The regent alters her conduct with regard to the protestants.

From the time of the queen's competition for the regency with the duke of Chatelherault, the popith clergy, under the direction of the archbishop of St. Andrew's, had set themselves in opposition to all her measures. Her first step toward the execution of her new scheme, was to regain their favour. Nor was this reconcilement a matter of difficulty. The popish ecclesiastics, separated from the rest of mankind by the law of celibacy, the boldest and most successful invention of human policy; and combined among themselves in t e closest and most facred union; have been accustomed, in every age, to facrifice all private and particular passions to the dignity and interest of their order. Delighted on this occasion with the prospect of triumphing over a faction, the encroachments of which they had long dreaded, and animated with the hopes of re-establishing their declining grandeur on a firmer basis; they at once, cancelled the memory of past injuries, and engaged to second the queen in all her attempts to check the progress of the reformation. The queen, being fecure of their affistance, openly approved of the decrees of the convocation, by which the principles of the reformers were condemned; and at the same time she iffued a proclamation, enjoining all perfons to observe the approaching festival of Easter according to the Romish ritual.

· As it was no longer possible to mistake the queen's intentions, the protestants, who faw the danger approach, in order to avert it, employed the earl of Glencairn, and Sir Hugh Campbell of London, to expostulate with her concerning

Melv. 48. Mem. de Castlenau, ap. Jebb, vol. ii. 446.

cerning this change towards feverity, which their former BOOK fervices had fo little merited, and which her reiterated promises gave them no reason to expect. She, without disguise or apology, avowed to them her resolution of extirpating the reformed religion out of the kingdom. And, upon their urging her former engagements with an uncourtly, but honeit boldness, the fo far forgot her usual moderation, as to utter a fentiment, which, however apt those of royal condition may be to entertain it, prudence should teach them to conceal as much as possible. "The promises of princes, fays she, ought not to be too carefully remembered, nor the performance of them exacted, unless it fuits their own conveniency."

THE indignation which betrayed the queen into this rash summons expression, was nothing in comparison of that with which she their was animated, upon hearing that the public exercise of the preachersts At once the three off the medical into the town of Perth. fore her. At once she threw off the mask, and issued a mandate, summoning all the protestant preachers in the kingdom to a court of justice, which was to be held at Stirling on the tenth of May. The protestants, who, from their union, began about this time to be distinguished by the name of the Congregation, were alarmed, but not intimidated by this danger; and infantly resolved not to abandon the men to whom they were indebted for the most valuable of all bleffings, the knowledge of truth. At that time there prevailed in Scotland, with respect to criminal trials, a custom, introduced at first by the institutions of vasfialage and clanship, and tolerated afterwards under a feeble government; perfons accused of any crime were accompanied to the place of trial by a retinue of their friends and adherents, affembled for that purpose from every quarter of the kingdom. Authorised by this ancient practice, the reformers convened in great numbers, to attend their pastors to Stirling. The queen dreaded their approach with a train fo numerous, though unarmed; and in order to prevent them from advancing, the empowered John Erskine of Dun, a person of eminent authority with the party, to promife in her name, that she would put a stop to the intended trial, on condition the preachers and their retinue advanced no nearer to Stirling. Erskine, being convinced himself of the queen's fincerity, served her with the utmost zeal; and the protestants, averse from proceeding to any act of violence, liftened with pleasure to so pacific a propofition. The preachers, with a few leaders of the party, remained at Perth; the multitude which had gathered from different parts of the kingdom dispersed, and retired to their own habitations.

II.

1559. Breaks a promise on which they had relied.

Bur, notwithstanding this solemn promise, the queen, on BOOK the tenth of May, proceeded to call to trial the persons who had been fummoned, and upon their non-appearance the rigour of justice took place, and they were pronounced outlaws. By this ignoble artifice, fo incompatible with regal dignity, and fo inconfiftent with that integrity which should prevail in all transactions between fovereigns and their subjects, the queen forfeited the efteem and confidence of the whole nation. The protestants, shocked no less at the indecency with which the violated the public faith, than at the danger which threatened themselves, prepared boldly for their own defence. Erskine, enraged at having been made the instrument for deceiving his party, instantly abandoned Stirling, and repairing to Perth, added to the zeal of his affociates, by his representations of the queen's inflexible resolution to suppress their religion.

This occa fions an infurrection at Perth.

The popular rhetoric of Knox powerfully seconded his representations: he having been carried a prisoner into France, together with the other persons taken in the castle of St. Andrew's, foon made his escape out of that country; and refiding fometimes in England, fometimes in Scotland, had at last been driven out of both kingdoms by the rage of the popish clergy, and was obliged to retire into Geneva. Thence he was called by the leaders of the protestants in Scotland; and, in compliance with their folicitations, he fet out for his native country, where he arrived a few days before the trial appointed at Stirling. He hurried inflantly to Perth, to there with his brethren in the common danger, or to affift them in the common cause. While their minds were in that ferment, which the queen's perfidiousness and their own danger occasioned, he mounted the pulpit, and by a vehement harangue against idolatry, inslamed the multitude with the utmost rage. The indiscretion of a priest, who, immediately after Knox's fermon, was preparing to celebrate mass, and began to decorate the altar for that purpose, precipitated them into immediate action. With tumultuary, but irrefiftible violence, they fell upon the churches in that city, overturned the altars, defaced the pictures, broke in pieces the images; and proceeding next to the monasteries, they in a few hours laid those sumptuous fabrics almost level with the ground. This riotous infurrection was not the effect of any concert, or previous deliberation; censured by the reformed preachers, and publicly condemned by perfons of most power and credit with the party, it must be regarded merely as an accidental eruption of popular rage . Bur

Bur to the queen dowager thefe proceedings appeared in BOOK a very different light. Besides their manifest contempt for her authority, the protestants had violated every thing in religion which the efteemed venerable or holy; and on both these accounts she determined to instict the severest ven- The reg geance on the whole party. She had already drawn the marches troops in French pay to Stirling; with thefe, and what them, Scottish forces she could levy of a sudden, she marched directly to Perth, in hopes of furprising the protestant leaders before they could affemble their followers, whom, out of confidence in her difingenuous promifes, they had been rafhly induced to difmifs. Intelligence of these preparations and menaces was foon conveyed to Perth. The protestants would gladly have foothed the queen, by addresses both to herfelf and to the perfons of greatest credit in her court; but finding her inexorable, they, with great vigour, took measures for their own defence. Their adherents, animated with zeal for religion, and eager to expose themfelves in fo good a cause, flocked in such numbers to Perth, that they not only fecured the town from danger, but within a few days were in a condition to take the field, and to face the queen, who advanced with an army feven thousand trong.

NEITHER party, however, was impatient to engage. The queen dreaded the event of a battle with men whom the fervour of religion raifed above the fenfe of fear or of danger. The protestants beheld with regret the earl of Argyll, the prior of St. Andrew's, and fome other eminent persons of their party, still adhering to the queen; and destitute of their aid and counsel, declined hazarding an action, the ill success of which might have proved the ruin of their cause. The profpect of an accommodation was for these reasonshighly acceptable to both fides: Argyll and the prior, who were the queen's commissioners for conducting the negotiation, feem to have been fincerely defirous of reconciling the contending factions; and the earl of Glencairn arriving unexpectedly with a powerful reinforcement to the Congregation, augmented the queen's eagerness for a peace. A treaty was A treaty accordingly concluded, in which it was flipulated that both concluded, armies should be disbanded, and the gates of Perth fet open to the queen; that indemnity should be granted to the inhabitants of that city, and to all others concerned in the late infurrection; that no French garrifon should be left in Perth, and no French foldier should approach within three miles of hat place; and that a parliament should immediately be

held,

BOOK held, in order to compose whatever differences might still remain 8. II.

1559. May 29. THE leaders of the Congregation, distrustful of the queen's fincerity, and fenfible that concessions, flowing not from inclination, but extorted by the necessity of her affairs, could not long remain in force, entered into a new affociation, by which they bound themselves, on the first infringement of the present treaty, or in the least appearance of danger to their religion, to re-affemble their followers, and to take arms in defence of what they deemed the cause of God and of their country h.

Broken by

THE queen, by her conduct, demonstrated these precauthe regent. tions to be the refult of no groundless or unnecessary fear. No fooner were the protestant forces dismissed, than she broke every article in the treaty. She introduced French troops into Perth, fined some of the inhabitants, banished others, removed the magistrates out of office, and, on her retiring to Stirling, she left behind her a garrison of six hundred men, with orders to allow the exercise of no other religion than the Roman catholic. The fituation of Perth, a place at that time of some strength, and a town among the most proper of any in the kingdom for the station of a garrison, seems to have allured the queen to this unjustifiable and ill-judged breach of public faith; which she endeavoured to colour, by alledging that the body of men left at Perth was entirely composed of native Scots, though kept in pay, by the king of France.

> THE queen's scheme began gradually to unfold; it was now apparent, that not only the religion, but the liberties of the kingdom were threatened; and that the French troops were to be employed as inftruments for fubduing the Scots, and wreathing the yoke about their necks. Martial as the genius of the Scots then was, the poverty of their country made it impossible to keep their armies long affembled; and even a very small body of regular troops might have proved formidable to the nation, though confifting wholly of foldiers. But what number of French forces were then in Scotland, at what times, and under what pretext they returned, after having left the kingdom in one thousand five hundred and fifty, we cannot with any certainty determine. Contemporary historians often felect with little judgment the circumstances which they transmit to posterity; and with respect to matters of the greatest curiosity and importance, leave fucceeded ages altogether in the dark. We may con-

jecture however, from some passages in Buchanan, that the Book French and Scots in French pay, amounted at least to three thousand men, under the command of Monsieur D'Oysel, a creature of the house of Guise; and they were soon augmented to a much more formidable number.

THE queen, encouraged by having fo confiderable a body of well-disciplined troops at her command, and instigated by the violent counfels of D'Oyfel, had ventured, as we have observed, to violate the treaty of Perth, and, by that rash action, once more threw the nation into the most dangerous convulsions. The earl of Argyll and prior of St. Andrew's The proinstantly deferted a court where faith and honour seemed to testants them to be no longer regarded; and joined the leaders of again take the Congregation, who had retreated to the eastern part of Fife. The barons from the neighbouring counties repaired to them, the preachers roused the people to arms, and wherever they came, the same violent operations which accident had occasioned at Perth, were now encouraged out of policy. The enraged multitude was let loofe, and churches and monasteries, the monuments of ecclesiastic pride and luxury, were facrificed to their zeal.

In order to check their career, the queen, without losing a moment, put her troops in motion; but the zeal of the Congregation got the start once more of her vigilance and activity. In that warlike age, when all men were accustomed to arms, and on the least prospect of danger were ready to run to them, the leaders of the protestants found no difficulty to raise an army. Though they set out from St. Andrew's with a flender train of an hundred horse, crowds flocked to their standards from every corner of the country through which they marched; and before they reached Falkland, a village only ten miles distant, they were able to

meet the queen with fuperior force '.

THE queen, furprifed at the approach of fo formidable a body, which was drawn up by its leaders in fuch a manner as added greatly in appearance to its numbers, had again recourse to negotiation. She found, however, that the prefervation of the protestant religion, their zeal for which had at first roused the leaders of the Congregation to take arms, was not the only object they had now in view. They were animated with the warmest love of civil liberty, which they conceived to be in imminent danger from the attempts of the French forces; and these two passions mingling, added reciprocally to each other's strength. Together with more Theyaimat

enlarged redreffing

BOOK enlarged notions in religion, the Reformation filled the human mind with more liberal and generous fentiments concerning civil government. The genius of popery is extremely favourable to the power of princes. The implicit civil as well fubmission to all her decrees, which is exacted by the Roas religious mish church, prepares and breaks the mind for political fergrievances. vitude; and the doctrines of the Reformers by overturning the established system of superstition, weakened the firmest foundations of civil tyranny. That bold spirit of inquiry, which led men to reject theological errors, accompanied them in other sciences, and discovered every-where the same manly zeal for truth. A new fludy, introduced at the same time, added greater force to the spirit of liberty. Men became more acquainted with the Greek and Roman authors, who described exquisite models of free government, far fuperior to the inaccurate and oppressive system established by the feudal law; and produced fuch illustrious examples of public virtue, as wonderfully fuited both the circumstances and spirit of that age. Many among the most eminent reformers were themselves considerable masters in ancient learning; and all of them eagerly adopted the maxims and fpirit of the ancients, with regard to government k. The most ardent love of liberty accompanied the protestant religion throughout all its progress; and wherever it was embraced, it roufed an independent spirit, which rendered men attentive to their privileges as subjects, and jealous of the encroachments of their sovereigns. Knox, and the other preachers of the Reformation infused generous sentiments concerning government into the minds of their hearers; and the Scottish barons, naturally free and bold, were prompted to affert their rights with more freedom and boldness than ever. Instead of obeying the queen regent, who had enjoined them to lay down their arms, they demanded not only the redrefs of their religious grievances, but, as a preliminary toward fettling the nation, and fecuring its liberties, required the immediate expulsion of the French troops out of Scotland. It was not in the queen's power to make fo important a concession without the concurrence of the French monarch; and as some time was requisite in order to obtain

<sup>\*</sup> The excessive admiration of ancient policy was the the occasion of Knox's famous book concerning the Government of Women, wherein, conformable to the maxims of the ancient legislators, which modern experience has proved to be ill founded, he pronounces the elevation of women to the supreme authority, to be utterly destructive of good government. His principles, authorities, and examples, were all drawn from ancient writers. The same observation may be made with regard to Buchanan's Dialogue, De Jure Regni apud Scotos. It is founded, not on the maxims of feudal, but of ancient republican government.

that, fhe hoped, during this interval, to receive fuch rein- BOOK forcements from France, as would infure the accomplishment of that design which she had twice attempted with unequal strength. Meanwhile, she agreed to a cessation of arms for eight days, and before the expiration of these, en- June 13. gaged to transport the French troops to the fouth fide of the Forth; and to fend commissioners to St. Andrew's, who should labour to bring all differences to an accommodation. As the hoped, by means of the French troops, to overawe the protestants in the southern counties, the former article in the treaty was punctually executed; the latter, having been inferted merely to amuse the Congregation was no longer remembered.

By these reiterated and wanton instances of persidy, the A second queen lost all credit with her adversaries; and no safety ap- treaty viopearing in any other course, they again too! arms with more lated. inflamed refentment, and with bolder and more extensive The removing of the French forces had laid open to them all the country fituated between Forth and Tay. The inhabitants of Perth alone remaining subjected to the infolence and exactions of the garrifon which the queen had left there, implored the affiftance of the Congregation for their relief. Thither they marched, and having without effect required the queen to evacuate the town in terms of the former treaty, they prepared to beliege it in form. The queen employed the earl of Huntly and lord Erskine to divert them from this enterprise. But her wonted artifices were now of no avail; repeated fo often, they could deceive no longer; and without liftening to her offers, the protestants continued the fiege, and foon obliged the garrifon to capitulate.

AFTER the loss of Perth, the queen endeavoured to feize Stirling, a place of some strength, and, from its command of the only bridge over the Forth, of great importance. But the leaders of the Congregation having intelligence of her defign, prevented the execution of it, by an hafty march thither with part of their forces. The inhabitants, heartily march and attached to the cause, set open to them the gates of their success of Thence they advanced, with the same rapidity to- the protestwards Edinburgh, which the queen, on their approach, ants. abandoned with precipitation and retired to Dunbar.

THE protestant army, wherever it came, kindled or spread the ardour of Reformation, and the utmost excesses of violence were committed upon churches and monasteries. The former were spoiled of every decoration, which was then effected facred; the latter were laid in ruins. We are apt, at this distance of time, to condemn the furious

zeal

BOOK zeal of the reformers, and to regret the overthrow of fo many flately fabrics, the monuments of our ancestors magnificence, and among the nobleft ornaments of the kingdom. But amidst the violence of a Reformation, carried on in opposition to legal authority, some irregularities were unavoidable; and perhaps no one could have been permitted more proper to allure and interest the multitude, or more fatal to the grandeur of the established church. How absurd soever and ill-founded the speculative errors of popery may be, fome enquiry and attention are requifite towards discovering them. The abuses and corruptions which had crept into the public worship of that church, lay more open to observation, and by striking the senses, excited more universal difgust. Under the long reign of heathenism, superstition feems to have exhaufted its talent of invention, fo that when a fuperstitious spirit seized Christians, they were obliged to imitate the heathens in the pomp and magnificence of their ceremonies, and to borrow from them the ornaments and decorations of their temples. To the pure and simple worship of the primitive Christians, there succeeded a species of fplendid idolatry, nearly refembling those pagan originals whence it had been copied. The contrariety of fuch observances to the spirit of Christianity, was almost the first thing, in the Romish system, which awakened the indignation of the reformers, who, applying to these the denunciations in the Old Testament against idolatry, imagined that they could not endeavour at suppressing them with too much zeal. No task could be more acceptable to the multitude, than to overturn those seats of superstition; they ran with emulation to perform it, and happy was the man whose hand was most adventurous and successful in executing a work deemed fo pious. Nor did their leaders labour to restrain this impetuous spirit of reformation. Irregular and violent as its fallies were, they tended directly to that end which they had in view; for, by demolishing the monasteries throughout the kingdom, and fetting at liberty their wretched inhabitants, they hoped to render it impossible ever to rebuild the one, or to re-affemble the other.

But amidst these irregular proceedings, a circumstance which does honour to the conduct and humanity of the leaders of the Congregation deserves notice. They so far restrained the rage of their followers, and were able so to temper their heat and zeal, that few of the Roman catholics were exposed to any personal infult, and not a single man

fuffered death 1.

AT

AT the same time we discover, by the facility with which BOOK these great revolutions were effected, how violently the current of national favour ran towards the Reformation. No more than three hundred men marched out of Perth under the earl of Argyll and prior of St. Andrew's "; with this inconsiderable force they advanced. But wherever they came, the people joined them in a body; their army was feldom less numerous than five thousand men; the gates of every town were thrown open to receive them; and, without striking a fingle blow, they took possession of the capital June 29.

1559.

of the kingdom.

This rapid and aftonishing success feems to have encouraged the reformers to extend their views, and to rife in their demands. Not fatisfied with their first claim of toleration for their religion, they now openly aimed at establishing the protestant doctrine on the ruins of popery. For this reason they determined to fix their residence at Edinburgh; and by their appointment Knox, and some other preachers, taking possession of the pulpits, which had been abandoned by the affrightened clergy, declaimed against the errors of popery with fuch fervent zeal as could not fail of gaining many

profelytes.

In the mean time the queen, who had prudently given way to a torrent which she could not refist, observed with pleasure that it now began to subside. The leaders of the Congregation had been above two months in arms, and by the expences of a campaign protracted fo long beyond the usual time of service in that age, had exhausted all the money which a country, where riches did not abound, had been able to supply. The multitude, dazzled with their succefs, and concluding the work to be already done, retired to their own habitations. A few only of the more zealous or wealthy barons remained with their preachers at Edinburgh. As intelligence is procured in civil wars with little difficulty, whatever was transacted at Edinburgh was foon known at Dunbar. The queen, regulating her own conduct by the fituation of her adversaries, artfully amused them with the prospect of an immediate accommodation; while, at the same time, she by studied delays spun out the negotiations for that purpose to such a length, that, in the end, the party dwindled to an inconfiderable number; and, as if peace had been already re-established, became careless of military difcipline. The queen, who watched for fuch an opportunity, advanced unexpectedly, by a fudden march in the night, Vol. I.

BOOK with all her forces, and appearing before Edinburgh, filled that city with the utmost-consternation. The protestants, weakened by the imprudent dispersion of their followers, durst not encounter the French troops in the open field; and were unable to defend an ill-fortified town against their affaults. Unwilling, however, to abandon the citizens to the queen's mercy, they endeavoured, by facing the enemy's army, to gain time for collecting their own affociates. But the queen, in spite of all their resistance, would have easily forced her way into the town, if the feafonable conclusion of a truce had not procured her admission without the effusion of blood.

A third treaty.

THEIR dangerous fituation eafily induced the leaders of the Congregation to liften to any overtures of peace; and as the queen was looking daily for the arrival of a strong reinforcement from France, and expected great advantages from a ceffation of arms, the alfo agreed to it upon no unequal conditions. Together with a suspension of hostilities, from the twenty-fourth of July to the tenth of January, it was stipulated, in this treaty, that, on the one hand, the proteftants should open the gates of Edinburgh next morning to the queen regent; remain in dutiful subjection to her government; abstain from all future violation of religious houses; and give no interruption to the established clergy, either in the discharge of their functions, or in the enjoyment of their benefices. On the other hand the queen agreed to give no molestation to the preachers or professors of the protestant religion; to allow the citizens of Edinburgh, during the ceffation of hostilities, to enjoy the exercise of religious worship according to the form most agreeable to the conscience of each individual, and to permit the free and public profession of the protestant faith in every part of the kingdom a. The queen, by these liberal concessions in behalf of their religion, hoped to footh the protestants, and expected, from indulging their favourite passion, to render them more compliant with respect to other articles, particularly the expulsion of the French troops out of Scotland. The anxiety which the queen expressed for retaining this body of men, rendered them more and more the objects of national jealoufy and aversion. The immediate expulsion of them was therefore demanded anew, and with greater warmth; but the queen, taking advantage of the diftreffes of the adverse party, eluded the request, and would consent to nothing more, than that a French garrifon should not be introduced into Edinburgh.

THE

THE desperate state of their affairs imposed on the Con- BOOK gregation the necessity of agreeing to this article, which, however, was very far from giving them fatisfaction. Whatever apprehensions the Scots had conceived, from retaining the French forces in the kingdom, were abundantly justified during the late commotions. A small body of those troops, maintained in conftant pay, and rendered formidable by regular discipline, had checked the progress of a martial people, though animated with zeal both for religion and liberty. The smallest addition to their number, and a considerable one was daily expected, might prove fatal to the public liberty, and Scotland might be exposed to the danger of being reduced from an independent kingdom, to the mean condition of a province, annexed to the dominions of its powerfully ally.

In order to provide against this imminent calamity, the duke of Chatelherault, and earl of Huntly, immediately after concluding the truce, defired an interview with the chiefs of the Congregation. These two noblemen, the most potent at that time in Scotland, were the leaders of the party which adhered to the established church. They had followed the queen, during the late commotions, and having access to observe more narrowly the dangerous tendency of her councils, their abhorrence of the yoke which was preparing for their country furmounted all other confiderations, and determined them rather to endanger the religion which they professed, than to give their aid towards the execution of her pernicious designs. They proceeded farther, and promiled to Argyll, Glencairn, and the prior of St. Andrew's, who were appointed to meet them, that if the queen should, with her usual infincerity, violate any article in the treaty of truce, or refuse to gratify the wishes of the whole nation, by dismissing her French troops, they would then instantly join with their countrymen in compelling her to a measure, which the public fafety, and the preservation of their liberties, rendered necessary o.

ABOUT this time died Henry II. of France; just when July 8. he had adopted a fystem with regard to the affairs of Scotland, which would in all probability, have restored union and tranquillity to that kingdom p. Towards the close of his reign, the princes of Lorrain began visibly to decline in favour, and the constable Montmorency, by the affistance of the duchefs of Valentinois, recovered that afcendant over the spirit of his master, which his great experience, and his

II.

1559.

BOOK faithful, though often unfortunate, services seemed justly to merit. That prudent minister imputed the insurrections in Scotland wholly to the duke of Guife and the cardinal of Lorrain, whose violent and precipitant councils could not fail of transporting, beyond all bounds of moderation, men whose minds were possessed with that jealousy which is inseparable from the love of civil liberty, or inflamed with that ardour which accompanies religious zeal. Montmorency, in order to convince Henry that he did not load his rivals with any groundless accusation, prevailed to have Melvil 9, a Scottish gentleman of his retinue, dispatched into his native country with instructions to observe the motions both of the regent and of her adversaries; and the king agreed to regulate his future proceedings in that kingdom by Melvil's

Did history indulge herfelf in these speculations, it would be amusing to enquire what a different direction might have been given by this resolution to the national spirit; and to what a different iffue Melvil's report, which would have fet the conduct of the malecontents in the most favourable light, might have conducted the public diforders. Perhaps by gentle treatment, and artful policy, the progress of the Reformation might have been checked, and Scotland brought to depend upon France. Perhaps, by gaining possession of this avenue, the French might have made their way into England, and, under colour of supporting Mary's title to the crown, they might not only have defeated all Elizabeth's measures in favour of the Reformation, but have re-established the Roman catholic religion, and destroyed the liberties of that kingdom. But, into this boundless field of fancy and conjecture, the historian must make no excursions; to relate real occurrences, and to explain their real causes and effects, is his peculiar and only province.

Accession of Francis II. to the crown of France.

THE tragical and untimely death of the French monarch put an end to all moderate and pacific measures with regard to Scotland. The duke of Guife, and the cardinal his brother, upon the accession of Francis II. a prince void of genius and without experience, assumed the chief direction of French affairs. Allied so nearly to the throne, by the marriage of their neice the queen of Scots with the young king, they now wanted but little of regal dignity, and nothing of regal power. This power did not long remain in-The fame vast schemes of ambition, active in their hands. which they had planned out under the former reign, were

again

IT.

1559.

again refumed; and they were enabled, by possessing such BOOK ample authority, to purfue them with more vigour and greater probability of fuccess. They beheld, with infinite regret, the progress of the protestant religion in Scotland; and, fensible what an unsurmountable obstacle it would prove to their defigns, they bent all their strength to check its growth, before it rose to any greater height. For this purpose they carried on their preparations with all possible expedition, and encouraged the queen their lifter to expect, in a short time, the arrival of an army so powerful as the zeal of their adversaries, however desperate, would not venture to oppose.

Non were the lords of the Congregation either ignorant of those violent counsels, which prevailed in the court of France fince the death of Henry, or careless of providing against the danger which threatened them from that quarter. The fuccefs of their cause, as well as their personal safety, depended entirely on the unanimity and vigour of their own resolutions, they endeavoured to guard against division, and to cement together more closely, by entering into a stricter Two persons body of confederacy and mutual defence. concurred in this new affociation, who brought a great accession both of reputation and of power to the party. These were the duke of Chatelherault, and his eldest son the earl of Arran. This young nobleman, having refided fome years in France, where he commanded the Scottish guards, had imbibed the protestant opinions concerning religion. Hurried along by the heat of youth and the zeal of a profelyte, he had uttered fentiments with respect to the points in controverfy, which did not fuit the temper of a bigotted court, intent at that juncture on the extinction of the protestant religion; in order to accomplish which, the greatest excesses of violence were committed. The church was fuffered to wreak its utmost fury upon all who were suspected of herefy. Courts were erected in different parts of France, to take cognizance of this crime, and by their fentences feveral per-

fons of distinction were condemned to the slames. Bur, in order to inspire more universal terror, the princes of Lorrain resolved to select, for a sacrifice, some person whose fall might convince all ranks of men, that neither splendour of birth, nor eminence in station, could exempt from punishment those who should be guilty of this unpardonable transgression. The earl of Arran was the person destined to be the unhappy victim. As he was allied to

Thuan. lib. xxiv. p. 462. Edit. Francof.

Earl of Ar-

ran joins

BOOK one throne, and the presumptive heir to another; as he possessed the first rank in his own country, and enjoyed an honourable station in France; his condemnation could not fail of making the defired impression on the whole kingdom. But the cardinal of Lorrain having let fall some expressions, which raifed Arran's fuspicions of the design, he escaped the intended blow by a timely flight. Indignation, zeal, refentment, all prompted him to feek revenge upon these persecutors of himself and of the religion which he professed; and as he paffed through England, on his return to his native country, Elizabeth by hopes and promifes inflamed those passions, and fent him back into Scotland, animated with the fame implacable aversion to France, which possessed a great part of his countrymen. He quickly communicated these sentiments to his father the duke of Chatelherault, the protest- who was already extremely disgusted with the measures carrying on in Scotland; and as it was the fate of that nobleman to be governed in every instance by those about him, he now fuffered himself to be drawn from the queen regent; and, having joined the Congregation, was confidered, from that time, as the head of the party.

Bur with respect to him, this distinction was merely nominal. James Stewart, prior of St. Andrew's, was the perfon who moved and actuated the whole body of the protestants, among whom he possessed that unbounded confidence, which his strenuous adherence to their interest and his great abilities so justly merited. He was the natural son of James V. by a daughter of lord Erskine; and as that amorous monarch had left feveral others a burden upon the crown, they were all destined for the church, where they could be placed in stations of dignity and affluence. In confequence of this resolution, the priory of St. Andrew's had been conferred upon James: but, during so busy a period, he foon became difgusted with the indolence and retirement of a monastic life; and his enterprising genius called him forth, to act a principal part on a more public and confpicuous theatre. The scene in which he appeared required talents of different kinds: military virtue, and political difcernment, were equally necessary in order to render him illustrious. These he possessed in an eminent degree. To the most unquestionable personal bravery, he added great skill in the art of war, and in every enterprise his arms were crowned with fuccefs. His fagacity and penetration in civil affairs enabled him, amidst the reeling and turbulence of factions, to hold a prosperous course: while his boldness in defence of the Reformation, together with the decency, and

even severity, of his manners, secured him the reputation of BOOK being fincerely attached to religion, without which it was impossible in that age to gain an ascendant over mankind.

1559.

IT was not without reason that the queen dreaded the enmity of a man fo capable to obstruct her designs. As she could not, with all her address, make the least impression on his fidelity to his affociates, the endeavoured to leffen his influence, and to fcatter among them the feeds of jealoufy and distrust, by infinuating that the ambition of the prior aspired beyond the condition of a subject, and aimed at nothing less than the crown itself.

An accusation so improbable gained but little credit. Whatever thoughts of this kind the prefumption of unexpected fuccess, and his elevation to the highest dignity in the kingdom, may be alledged to have inspired at any subsequent period, it is certain that at this juncture he could form no fuch vast design. To dethrone a queen, who was lineal heir to an ancient reign of monarchs; who had been guilty of no action by which she could forfeit the esteem and affection of her subjects; who could employ, in defence of her rights, the forces of a kingdom much more powerful than her own; and to fubstitute in her place, a person whom the illegitimacy of his birth, by the practice of all civilized nations, rendered incapable of any inheritance either public or private, was a project fo chimerical as the most extravagant ambition, would hardly entertain, and could never conceive to be practicable. The promife too, which the prior made to Melvil, of refiding constantly in France, on condition the public grievances were redreffed's; the confidence reposed in him by the duke of Chatelherault and his son, the prefumptive heirs to the crown; and the concurrence of almost all the Scottish nobles, in promoting the measures by which he gave offence to the French court; go far towards his vindication from those illegal and criminal designs, with the imputation of which the queen endeavoured at that time to load him.

THE arrival of a thousand French foldiers compensated, Troops arin some degree, for the loss which the queen sustained by rive from the desection of the duke of Chatelherault. These were imfortify mediately commanded to fortify Leith, in which place, on Leith. account of its commodious harbour, and its fituation in the neighbourhood of Edinburgh and in a plentiful country, the queen resolved to fix the head-quarters of her foreign forces. This unpopular measure, by the manner of executing

BOOK H. 1559.

cuting it, was rendered still more unpopular. In order to bring the town entirely under their command, the French turned out a great part of the ancient inhabitants, and taking possession of the houses, which they had obliged them to abandon, presented to the view of the Scots two objects equally irritating and offenfive; on the one hand, a number of their countrymen expelled their habitations by violence, and wandering without any certain abode; on the other, a colony of foreigners fettling with their wives and childern in the heart of Scotland, growing into strength by daily reinforcements, and openly preparing a yoke, to which, without some timely exertion of national spirit, the whole kingdom must of necessity submit,

The protestants remonstrate

Sept. 29.

IT was with deep concern that the lords of the Congregation beheld this bold and decifive ftep taken by the queen against this. regent: nor did they hesitate a moment, whether they should employ their whole strength, in one generous effort, to refcue their religion and liberty from impending destruction. But, in order to justify their own conduct, and to throw the blame entirely on their adversaries, they resolved to preferve the appearance of decency and respect towards their superiors, and to have no recourse to arms without the most urgent and apparent necessity. They joined, with this view, in an address to the regent, representing in the strongest terms, their diffatisfaction with the measures she was purfuing, and befeeching her to quiet the fears and jealoufies of the nation by defisting from fortifying Leith. The queen, conscious of her present advantageous situation, and elated with the hopes of fresh succours, was in no disposition for listening to demands utterly inconsistent with her views, and urged with that bold importunity which is fo little acceptable to princes '.

The regent difregards their remonstrances.

THE fuggestions of her French counsellors contributed, without doubt, to alienate her still farther from any scheme of accommodation. As the queen was ready on all oceafions to discover an extraordinary deference for the opinions of her countrymen, her brothers, who knew her fecret difapprobation of the violent measures they were driving on, took care to place near her fuch perfons as betrayed her, by their infinuations, into many actions, which her own unbiassed judgment would have highly condemned. As their fuccess in the present juncture, when all things were hastening towards a crisis, depended entirely on the queen's firmness, the princes of Lorrain did not trust wholly to the in-

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fluence of their ordinary agents; but, in order to add the Book greater weight to their councils, they called in aid the minifters of religion; and, by the anthority of their facred character, they hoped effectually to recommend to their fifter, that fystem of severity which they had espoused ". With this view, but under pretence of confounding the protestants by the skill of fuch able masters in controversy, they appointed feveral French divines to refide in Scotland. At the head of these, and with the character of legate from the pope, was Pelleve bishop of Amiens, and afterwards archbishop and cardinal of Sens, a furious bigot x, servilely devoted to the house of Guise, and a proper instrument for recommending or executing the most outrageous measures.

AMIDST the noise and danger of civil arms, these doctors had little opportunity to display their address in the use of their theological weapons. But they gave no small offence to the nation by one of their actions. They persuaded the queen to feize the church of St. Giles in Edinburgh, which had remained ever fince the late truce, in the hands of the protestants; and having, by a new and solemn confecration, purified the fabric from the pollution with which they supposed the profane ministrations of the protestants to have defiled it, they in direct contradiction to one article in the late treaty, re-established there the rights of the Romish church. This, added to the indifference, and even contempt, with which the queen received their remonstrances, convinced the lords of the Congregation, that it was not only vain to expect any redrefs of their grievances at her hands, but absolutely necessary to take arms in their own defence.

THE eager and impetuous spirit of the nation, as well as They take every confideration of good policy, prompted them to take arms in this bold step without delay. It was but a small part of the their own french auxiliaries which had as yet arrived. The fortifica French auxiliaries which had as yet arrived. The fortifications of Leith, though advancing fast, were still far from being complete. Under these circumstances of disadvantage, they conceived it possible to furprise the queen's party, and, by one fudden and decifive blow, to prevent all future bloodfhed and contention. Full of these expectations, they advanced rapidly towards Edinburgh with a numerous army. But it was no easy matter to deceive an adversary as vigilant October 6. and attentive as the queen regent. With her usual fagacity, the both forefaw the danger, and took the only proper course to avoid it. Instead of keeping the field against enemies fuperior in number, and formidable on a day of battle by the

<sup>\*</sup> Lefley, 213. Castlenan, ap. Jebb. vol. ii. 446. 473. \* Davila Brantome.

BOOK ardour of their courage, the retired into Leith, and determined patiently to wait the arrival of new reinforcements. Slight and unfinished as the fortifications of that town then were, she did not dread the efforts of an army, provided neither with heavy cannon, nor with military stores, and little acquainted with the method of attacking any place fortified with more art than those ancient towers erected all over the kingdom in defence of private property against the incursions of banditti.

Nor did the queen mean while neglect to have recourse to those arts which she had often employed to weaken or divide her adversaries. By private solicitations and promises fhe shook the fidelity, or abated the ardour, of some. By open reproach and accufation she blasted the reputation, and diminished the authority of others. Her emissaries were every where at work, and notwithstanding the zeal for religion and liberty, which then animated the nation, they feem to have laboured not without fuccess. We find Knox, about this period, abounding in complaints of the lukewarm and languid fpirit which had begun to fpread among his party . But if their zeal flackened a little, and fuffered a momentary intermission, it soon blazed up with fresh vigour, and rose to a greater height than ever.

THE queen herself gave occasion to this, by the reply

which she made to a new remonstrance from the lords of the

Renew their remonstran-

faccefs.

Congregation. Upon their arrival at Edinburgh, they once more represented to her the dangers arising from the increase of the French troops, the fortifying of Leith, and her other measures, which they conceived to be destructive to the peace and liberty of the kingdom; and in this address they spoke in a firmer tone, and avowed, more openly than ever, their resolution of proceeding to the utmost extremities, in order to put a stop to such dangerous encroachments. To a remonstrance of this nature, and urged with so much boldness, the queen replied in terms no less vigorous and explicit. but without She pretended that she was not accountable to the confederate lords for any part of her conduct; and upon no reprefentation of theirs would she either abandon measures which the deemed necessary, or dismiss forces which she found useful, or demolish a fortification which might prove of advantage. At the same time she required them, on pain of trea-

> fon, to disband the forces which they had affembled. This haughty and imperious stile founded harshly to Scottish nobles, impatient, from their national character, of

y Knox, 180.

the flighest appearance of injury; accustomed even from Book their own monarchs to the most respectful treatment; and possessing, under an aristocratical form of government, such a share of power, as equalled at all times, and often controlled that of the fovereign. They were fensible, at once, of the indignity offered to themselves, and alarmed with this plain declaration of the queen's intentions; and as there now remained but one step to take, they wanted neither public spirit nor resolution to take it.

Bur, that they might not feem to depart from the esta- Deliberate blished forms of the constitution, for which, even amidst concerning their most violent operations, men always retain the greatest which they reverence, they affembled all the peers, barons, and repre- ought to fentatives of boroughs, who adhered to their party. These take. formed a convention, which exceeded in number, and Oct. 21. equalled in dignity, the usual meetings of parliament. The leaders of the Congregation laid before them the declaration which the queen had given in answer to their remonstrance; represented the unavoidable ruin which the measures she therein avowed and justified would bring upon the kingdom; and required their direction with regard to the obedience due to an administration fo unjust and oppressive, they submitted to their decision a question, one of the most delicate and interesting that can possibly fall under the consideration of subjects.

THIS affembly proceeded to decide with no less dispatch than unanimity. Strangers to those forms which protract business; unacquainted with the arts which make a figure in debate; and much more fitted for action than discourse; a warlike people always haften to a conclusion, and bring their deliberations to the shortest issue. It was the work but of one day, to examine and resolve this nice problem, concerning the behaviour of fubjects towards a ruler who abuses his power. But however abrupt their proceedings may appear, they were not destitute of solemnity. determination of the point in doubt was conceived to be no less the office of divines than of laymen, the former were called to affift with their opinion. Knox and Willox appeared for the whole order, and pronounced, without hefitation, both from the precepts and examples in scripture, that it was lawful for subjects not only to refift tyrannical princes, but to deprive them of that authority, which, in their hands, becomes an instrument for destroying those whom the Almighty ordained them to protect. The decision of persons revered so highly for their facred character, but more for their zeal and their piety, had great weight with

II.

1559-They deprive the queen of the office of regent.

The motives of their conduct.

BOOK the whole affembly. Not fatisfied with the common indifcriminate manner of fignifying confent, every person present was called in his turn to declare his fentiments, and rifing up in order, all gave their fuffrages, without one diffenting voice, for depriving the queen of the office of regent, which fhe had exercised so much to the detriment of the kingdom2.

> This extraordinary fentence was owing no lefs to the love of liberty, than to zeal for religion. In the act of deprivation, religious grievances are flightly mentioned; and the dangerous encroachments of the queen upon the civil constitution are produced, by the lords of the Congregation, in order to prove their conduct to have been not only just but neceffary. The introducing foreign troops into a kingdom at peace with all the world; the feizing and fortifying towns in different parts of the country; the promoting strangers to offices of great power and dignity; the debasing the current coin a; the subverting the ancient laws; the imposing of new and burdenfome taxes; and the attempting to fubdue the kingdom, and to oppress its liberties, by open and repeated acts of violence, are enumerated at great length, and placed in the strongest light. On all these accounts, the Congregation maintained, that the nobles, as counfellors by birth-right to their monarchs, and the guardians and defenders of the constitution, had a right to interpose; and therefore, by virtue of this right, in the name of the king and queen, and with many expressions of duty and submission towards them, they deprived the queen regent of her office, and ordained, that for the future, no obedience should be given to her commands b.

> VIOLENT as this action may appear, there wanted not principles in the constitution, nor precedents in the history of Scotland, to justify and to authorise it. Under the aristocratical form of government established among the Scots, the power of the fovereign was extremely limited. The

> > more

M. Castlenau, after condemning the dangerous councils of the princes of Lorrain, with regard to the affairs of Scotland, acknowledges with his usual candour, that the Scots declared war against the queen regent, rather from a defire of vindicating their civil liberties, than from any motive of teligion.

Mem. 446.

<sup>\*</sup> Knox, 184.

<sup>\*</sup> The standard of money in Scotland was continually varying. In the 16th of James V. A. D. 1529, a pound weight of gold, when coined produced 108 pounds of current money. But under the queen regent's administration, A. D. 1556, a pound weight of gold, although the quantity of alloy was confiderably increased, produced 144l. current money. In 1529, a pound weight of silver, when coined, produced 91. 2s. but in 1556, it produced 131. current money. Ruddiman. Præfat. ad Anders. Diplomat. Scotiæ, p. 80, 81. from which it appears, that this complaint, which the malecontents often repeated, was not altogether destitute of foundation.

more confiderable nobles were themselves petty princes, pof- B o o K festing extensive jurisdictions, almost independent of the crown, and followed by numerous vaffals, who, in every contest, espoused their chieftain's quarrel, in opposition to Hence the many instances of the impotence of regal authority, which are to be found in the Scottish history. In every age, the nobles not only claimed, but exercifed, the right of controlling the king. Jealous of their privileges, and ever ready to take the field in defence of them, every error in administration was observed, every encroachment upon the rights of the aristocracy excited indignation, and no prince ever ventured to transgress the boundaries which the law had prescribed to prerogative, without meeting refistance, which shook or overturned his throne. Encouraged by the spirit of the constitution, and countenanced by the example of their ancestors, the lords of the Congregation thought it incumbent on them, at this juncture to inquire into the mal-administration of the queen regent, and to preserve their country from being enflaved or conquered, by depriving her of the power to execute fuch a pernicious scheme.

The act of deprivation, and a letter from the lords of the Congregation to the queen regent, are still extant. They discover not only that masculine and undaunted spirit, natural to men capable of so bold a resolution; but are remarkable for a precision and vigour of expression which we are surprised to meet with in an age so unpolished. The same observation may be made with respect to the other public papers of that period. The ignorance or bad taste of an age may render the compositions of authors by profession obscure, or affected, or absurd; but the language of business is nearly the same at all times; and whenever men think clearly, and are thoroughly interested, they express

themselves with perspicuity and force.

c Knox, 184.

## III.

BOOK III.

1559. The Congregation involved in

THE lords of the Congregation foon found, that their zeal had engaged them in an undertaking, which it was beyond their utmost ability to accomplish. The French garrison, despising their numerous but irregular forces, refused to furrender Leith, and to depart out of the kingdom; nor were they sufficiently skilful in the art of war to reduce the difficulties. place by force, or possessed of the artillery, or magazines, requifite for that purpose; and their followers, though of undaunted courage, yet being accustomed to decide every quarrel by a battle, were strangers to the fatigues of a long campaign, and foon became impatient of the fevere and constant duty which a siege requires. The queen's emissaries, who found it eafy to mingle with their countrymen, were at the utmost pains to heighten their difgust, which discovered itself at first in murmurs and complaints, but on occasion of the want of money for paying the army, broke out into open mutiny. The most eminent leaders were hardly secure from the unbridled infolence of the foldiers; while fome of inferior rank, interpoling too rashly in order to quell them, fell victims to their rage. Discord, consternation, and perplexity, reigned in the camp of the reformers. The duke, their general, funk, with his usual timidity, under the terror of approaching danger, and discovered manifest symptoms of repentance for his rashness in espousing such a desperate cause.

Apply to Elizabeth for affiftance.

In this fituation of their affairs, the Congregation had recourse to Elizabeth, from whose protection they could derive their only reasonable hope of success. Some of their more fagacious leaders, having foreseen that the party might probably be involved in great difficulties, had early endeavoured to fecure a refource in any fuch exigency, by entering into a fecret correspondence with the court of England a. Elizabeth aware of the dangerous defigns which the princes of Lorrain had formed against her crown, was early sensible of how much importance it would be, not only to check the progress of the French in Scotland, but to extend her own influence in that kingdom b; and perceiving how effectually the present insurrections would contribute to retard or defeat

Burn. Hift. Ref. 3. Append. 278. Keith, Append. 21. b See Append. No. I.

feat the schemes formed against England, she listened with BOOK pleasure to these applications of the malecontents, and gave them private assurances of powerful support to their cause. Randolph', an agent extremely proper for conducting any dark intrigue, was dispatched into Scotland, and refiding fecretly among the lords of the Congregation, observed and quickened their motions. Money feemed to be the only thing they wanted at that time; and it was owing to a feasonable remittance from England d, that the Scottish nobles had been enabled to take the field, and to advance towards Leith. But as Elizabeth was distrustful of the Scots, and studious to preserve appearances with France, her subsidies were bestowed at first with extreme frugality. The subfistence of an army, and the expences of a fiege, foon exhausted this penurious supply, to which the lords of the Congregation could make little addition from their own funds; and the ruin and dispersion of the party must have instantly followed.

1559-

In order to prevent this, Cockburn of Ormiston was sent she fends with the utmost expedition, to the governors of the town and thema castle of Berwick. As Berwick was at that time the town of small sum greatest importance on the Scottish frontier, Sir Ralph Sadler and Sir James Crofts, persons of confiderable figure, were employed to command there, and were entrusted with a difcretionary power of fupplying the Scottish malecontents, according to the exigency of their affairs. From them Cockburn received four thousand crowns, but little to the advantage of his party. The earl of Bothwell, by the queen's in- which is stigation, lay in wait for him on his return, dispersed his fol- inte ceptlowers, wounded him, and carried off the money.

This unexpected disappointment proved fatal to the party. In mere despair some of the more zealous attempted to affault Leith; but the French beat them back with difgrace, feized their cannon, and pursuing them to the gates of Edinburgh, were on the point of entering along with them. terror and confusion which the prospect of pillage or of masfacre can excite in a place taken by storm, filled the city on this occasion. The inhabitants fled from the enemy by the opposite gate; the forces of the Congregation were irrefolute and difmayed; and the queen's partifans in the town openly infulted both. At last a few of the nobles ventured to face the enemy, who, after plundering some houses in the fuburbs, retired with their booty, and delivered the city from this dreadful alarm.

A SECOND skirmish, which happened a few days after, was no less unfortunate. The French sent out a detachment to

d Knox, 214. Keith, Append. 44. c Keith, Append. 29.

BOOK

1559.

They re-

tire from

Leith in

confusion.

intercept a convoy of provisions which was destined for Edinburgh. The lords of the Congregation, having intelligence of this, marched in all haste with a considerable body of their troops, and falling upon the enemy between Restairing and Leith, with more gallantry than good conduct, were almost surrounded by a second party of French, who advanced in order to support their own men. In this situation a retreat was the only thing which could save the Scots; but a retreat over marshy ground, and in the sace of an enemy superior in number, could not long be conducted with order. A small body of the enemy hung upon their rear, horse and foot fell into the utmost consusion, and it was entirely owing to the over-caution of the French, that any of the party escaped being cut in pieces.

On this fecond blow, the hopes and spirits of the Congregation sunk altogether. They did not think themselves secure even within the walls of Edinburgh, but instantly determined to retire to some place at a greater distance from the enemy. In vain did the prior of St. Andrew's and a few others, oppose this cowardly and ignominious slight. The dread of the present danger prevailed ever both the sense of honour Novemb. 6, and zeal for the cause. At midnight they set out from Edinburgh in great consusion, and marched without halting till

they arrived at Stirling e.

DURING this last infurrection, the great body of the Scottish nobility joined the Congregation. The lords Seton and Borthwick were the only persons of rank who took arms for the queen, and affifted her in defending Leith f. Bothwell openly favoured her cause, but resided at his own house. The earl of Huntly, conformable to the crafty policy which distingishes his character, amused the leaders of the Congregation, whom he had engaged to affift, with many fair promises, but never joined them with a single man 8. earl of Morton, a member of the Congregation, fluctuated in a state of irresolution, and did not act heartily for the com-Lord Erskine, governor of Edinburgh castle, mon cause. though a protestant, maintained a neutrality, which he deemed becoming the dignity of his office; and having been entrusted by parliament with the command of the principal fortress in the kingdom, he resolved that neither faction should get it into their hands.

A FEW days before the retreat of the Congregation, the queen fuffered an irreparable loss by the defection of her principal fecretary, William Maitland of Lethington. His zeal

Maitland revolts from the queen dowager.

f Keith, Append. 31.

e Keith, Append. 21-45.

<sup>8</sup> Keith, Append. 33. Knox, 222.

zeal for the reformed religion, together with his warm re- B o o K monstrances against the violent measures which the queen III. was carrying on, exposed him so much to her resentment, and to that of her French counsellors, that he, suspecting his life 1559.

to be in danger, withdrew fecretly from Leith, and fled to the lords of the Congregation h; and they with open arms received a convert, whose abilities added both strength and reputation to their cause. Maitland had early applied to public business admirable natural talents, improved by an acquaintance with the liberal arts; and at a time of life when his countrymen of the fame quality were following the pleafures of the chace, or ferving as adventurers in the armies of France, he was admitted into all the fecrets of the cabinet, and put upon a level with persons of the most consummate experience in the management of affairs. He possessed, in an eminent degree, that intrepid spirit which delights in purfuing bold defigns, and was no lefs mafter of that political dexterity which is necessary for earrying them on with fuccess. But these qualities were deeply tinctured with the neighbouring vices. His address sometimes degenerated into cunning; his acuteness bordered upon excess; his invention; over-fertile, fuggested to him, on some occasions, chimerical fystems of policy, too refined for the genius of his age or country; and his enterprifing spirit engaged him in projects vait and splendid, but beyond his utmost power to execute. the cotemporary writers, to whatever faction they belong, mention him with an admiration which nothing could have excited but the greatest superiority of penetration and abilities.

THE precipitate retreat of the Congregation increased to fuch a degree the terror and confusion which had seized the party at Edinburgh, that, before the army reached Stirling, it dwindled to an inconfiderable number. The spirit of Knox, however, still remained undaunted and erect, and having mounted the pulpit, he addressed, to his desponding hearers, an exhortation which wonderfully animated and revived them. The heads of this discourse are inferted in his history, and afford a seriking example of the boldness and freedom of reproof assumed by the sirst reformers, as well as a specimen of his own skill in chusing the topics most fitted to influence and rouse his audience.

A MEETING of the leaders being called, to confider what Thelordsof course they should hold, now that their own resources were all the Congreexhaufted, and their deftruction appeared to be unavoidable gation apwithout foreign aid, they turned their eyes once more to Elizabeth. England, VOL. I.

III. 1559.

BOOK England, and resolved to implore the affistance of Elizabeth towards finishing an enterprise, in which they had so fatally experienced their own weakness, and the strength of their adversaries. Maitland, as the most able negociator of the party, was employed in this embassy. In his absence, and during the inactive feason of the year, it was agreed to difmiss their followers, worn out by the fatigues of a campaign which had fo far exceeded the usual time of service. in order to preferve the counties most devoted to their interest, the prior of St. Andrew's, with part of the leaders, retired into Fife. The duke of Chatelherault, with the rest, fixed his refidence at Hamilton. There was little need of Maitland's address or eloquence to induce Elizabeth to take his country under her protection. She observed the prevalence of the French counsels, and the progress of their arms in Scotland, with great concern; and as the well forefaw, the dangerous tendency of their schemes in that kingdom, she had already come to a resolution with regard to the part she herfelf would act, if their power there should grow still more formidable.

Motives which determined her to affift them

In order to give the queen and her privy council a full and distinct view of any important matter which might come before them, it feems to have been the practice of Elizabeth's ministers to prepare memorials, in which they clearly stated the point under deliberation, laid down the grounds of the conduct which they held to be most reasonable, and proposed a method for carrying their plan into execution. Two papers of this kind, written by Sir William Cecil with his own hand, and submitted by the queen to the confideration of her privy council, still remain k; they are entitled, " A short discussion of the weighty matter of Scotland," and do honour to the industry and penetration of that great minister. The motives which determined the queen to espouse so warmly the defence of the Congregation, are represented with perspicuity and force; and the consequences of suffering the French to establish themselves in Scotland, are predicted with great accuracy and difcernment.

HE lays it down as a principle, agreeable to the laws both of God and of nature, that every fociety hath a right to defend itself, not only from the present dangers, but from such as may probably ensue; to which he adds, that nature and reafon teach every prince to defend himself by the same means which his adverfaries employ to diffress him. Upon these grounds he establishes the right of England to interpose in

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Burn. vol. ili. Append. 283. Forbes, i. 387, &c. Keith, Append. 24-

the affairs of Scotland, and to prevent the conquest of that BOOK kingdom, at which the French openly aimed. The French, he observes, are the ancient and implacable enemies of England. Hostilities had subsisted between the two nations for many centuries. No treaty of peace into which they entered had ever been cordial or fincere. No good effect was therefore to be expected from the peace lately agreed upon, which, being extorted by present necessity, would be negligently observed, and broken on the slightest pretences. In a very fhort time, France would recover its former opulence; and though now drained of men and money by a tedious and unfuccefsful war, it would quickly be in a condition for acting, and the reftlefs and martial genius of the people would render action necessary. The princes of Lorrain, who at that time had the entire direction of French affairs, were animated with the most virulent hatred against the English nation. They openly called in question the legitimacy of the queen's birth, and by advancing the title and prentensions of their niece the queen of Scotland, studied to deprive Elizabeth of her crown. With this view, they had laboured to exclude the English from the treaty of Chateau en Cambrefis, and endeavoured to conclude a feparate peace with Spain. They had perfuaded Henry II. to permit his daughter-in-law to assume the title and arms of. queen of England; and even fince the conclusion of the peace, they had folicited at Rome, and obtained, a bull declaring Elizabeth's birth to be illegitimate. Though the wisdom and moderation of the Constable Montmorency had for some time checked their career, yet these restraints being now removed by the death of Henry II. and the difgrace of his minister, the utmost excesses of violence were to be dreaded from their furious ambition, armed with fovereign power. Scotland is the quarter where they can attack England with most advantage. A war on the borders of that country exposes France to no danger, but one fuecessful action there may hazard the crown, and overturn the goverment, of England. In political conduct, it is childish to wait till the defigns of an enemy be ripe for execution. The Scottish nobles, after their utmost efforts, have been obliged to quit the field; and far from expelling the invaders of their liberties, they behold the French power daily increasing, and must at last cease. from struggling any longer in a contest fo unequal. The invading of England will immediately follow the reduction of the Scottish malecontents, by the abandoning of whom to the mercy of the French, Elizabeth will open a way for her enemies into the heart of her own kingdom, and expose it

1559.

BOOK to the calamities of war, and the danger of conquest. Nothing therefore remained but to meet the enemy while yet at a distance from England, and by supporting the Congregation with a powerful army, to render Scotland the theatre of the war, to crush the designs of the princes of Lorrain in their infancy, and, by fuch an early and unexpected effort, to expel the French out of Britain, before their power had time to take root and grow up to any formidable height. But as the matter was of as much importance as any which could fall under the confideration of an English monarch, wisdom and mature counsel was necessary in the first place, and afterwards vigour and expedition in conduct; the danger was urgent, and, by lofing a fingle moment, might become unavoidable 1.

THESE arguments produced their full effect upon Elizabeth, who was jealous, in an extreme degree, of every pretender to her crown, and no less anxious to preserve the tranquillity and happiness of her subjects. From these motives the had acted, in granting the Congregation an early supply of money; and from the same principles she determined, in their present exigency, to afford them more effectual aid. One of Maitland's attendants was instantly difpatched into Scotland with the strongest assurances of her protection, and the lords of the Congregation were defired to fend commissioners into England to conclude a treaty, and to fettle the operations of the campaign with the duke of Norfolk m.

The queen dowager meanwhile fends her French troops against them.

MEANWHILE the queen regent, from whom no motion of the Congregation could long be concealed, dreaded the fuccess of this negotiation with the court of England, and forefaw how little she would be able to refift the united effort of the two kingdoms. For this reason she determined, if possible, to get the start of Elizabeth; and by venturing, notwithstanding the inclemency of the winter feason, to attack the malecontents in their prefent dispersed and helpless situation, she hoped to put an end to the war before the arrival of their English allies.

A considerable body of her French forces, who were augmented about this time by the arrival of the count de Martigues, with a thousand veteran foot and some cavalry, were commanded to march to Stirling. Having there croffed the Forth, they proceeded along the coast of Fife, de-

ftroying

<sup>1</sup> The arguments which the Scots employed, in order to obtain Elizabeth's affistance, are urged with great force, in a paper of Maitland's. See Append. No. II.

m Keith, 114. Rymer, xv. p. 569.

ftroying and plundering, with excessive outrage, the houses BOOK and lands of those whom they deemed their enemies. Fife was the most populous and powerful county in the kingdom, and most devoted to the Congregation, who had hitherto drawn from thence their most considerable supplies, both of men and provisions; and therefore, besides punishing the difaffection of the inhabitants, by pillaging the country, the French proposed to seize and fortify St. Andrew's, and to leave in it a garrifon fufficient to bridle the mutinous fpirit of the province, and to keep possession of a port situated on the main ocean a.

Bur on this occasion, the prior of St. Andrew's, lord Ruthven, Kirkaldy of Grange, and a few of the most active leaders of the Congregation, performed, by their bravery and good conduct, a service of the utmost importance to their party. Having affembled fix hundred horse, they infested the French with continual incursions, beat up their quarters, intercepted their convoys of provisions, cut off their straggling parties, and so harraffed them with perpetual alarms, that they prevented them for more than three weeks from

advancing o.

AT last the prior, with his feeble party, was constrained to retire, and the French set out from Kirkaldy, and began to move along the coast towards St. Andrew's. They had ad- January 23. vanced but a few miles, when, from an eminence, they defcried a powerful fleet steering its course up the Frith of Forth. As they knew that the marquis D'Elbeuf was at that time preparing to fail for Scotland with a numerous army, they hastily concluded that these ships belonged to him, and gave way to the most immoderate transports of joy, on the prospect of this long-expected fuccour. Their great guns were already fired to welcome their friends, and to fpread the tidings and terror of their arrival among their enemies, when a fmall boat from the opposite coast landed, and blafted their premature and fhort-lived triumph, by informing them, that it was the fleet of England which was in fight, intended for the aid of the Congregation, and was foon to be followed by a formidable land army p.

THROUGHOUT her whole reign Elizabeth was cautious, The English but decifive; and by her promptitude in executing her refo- fleet arrives lutions, joined to the deliberation with which she formed to their them, her administration became remarkable, no less for its vigour than for its wisdom. No sooner did she determine to afford her protection to the lords of the Congregation, than

1560.

BOOK they experienced the activity, as well as the extent of her power. The feafon of the year would not permit her land army to take the field; but left the French should, in the mean time, receive new reinforcements, the instantly ordered a strong squadron to cruise in the Frith of Forth. She feems, by her instructions to Winter her admiral, to have been defirous of preferving the appearances of friendship towards the French q. But these were only appearances; if any French fleet should attempt to land, he was commanded to prevent it, by every act of hostility and violence. It was the fight of this fquadron, which occasioned at first so much joy among the French, but which foon inspired them with fuch terror, as faved Fife from the effects of their vengeance. Apprehensive of being cut off from their companions on the opposite shore, they retreated towards Stirling with the utmost precipitation, and in a dreadful feafon, and through roads almost impassable, arrived at Leith, harassed and exhausted with fatigue r.

THE English fleet cast anchor in the road of Leith, and continuing in that station till the conclusion of peace, both prevented the garrison of Leith from receiving succours of any kind, and confiderably facilitated the operations of their

own forces by land.

They concludeatreaty with England. Feb. 27.

Soon after the arrival of the English squadron, the commissioners of the Congregation repaired to Berwick, and concluded with the duke of Norfolk a treaty, the bond of that union with Elizabeth, which was of fo great advantage to the cause. To give a check to the dangerous and rapid progress of the French arms in Scotland, was the professed defign of the contracting parties. In order to this, the Scots engaged never to fuffer any closer union of their country with France; and to defend themselves to the uttermost egainst all attempts of conquest. Elizabeth, on her part, promifed to employ in Scotland a powerful army for their affistance, which the Scots undertook to join with all their forces; no place in Scotland was to remain in the hands of the English; whatever should be taken from the enemy was either to be rased, or kept by the Scots, at their choice; if any invasion should be made upon England, the Scots were obliged to affift Elizabeth with part of their forces; and to ascertain their faithful observance of the treaty, they bound themselves to deliver hostages to Elizabeth, before the march of her army into Scotland; in conclusion the Scots made many protestations of obedience and loyalty towards their their own queen, in every thing not inconfistent with their BOOK religion, and the liberties of their country s.

THE English army, consisting of fix thousand foot and two thousand horse, under the command of lord Gray of Wilton, entered Scotland early in the fpring. The mem- The Engbers of the Congregation affembled from all parts of the lish army lays siege kingdom to meet their new allies; and having joined them, to Leith. with great multitudes of their followers, they advanced to- April 2. gether towards Leith. The French were little able to keep the field against an enemy so much superior in number. strong body of troops destined for their relief, had been scattered by a violent storm, and had either perished on the coast of France, or with difficulty had recovered the ports of that kingdom . But they hoped to be able to defend Leith, till the princes of Lorrain should make good the magnificent promifes of affiftance, with which they daily encouraged them; or till fcarcity of provisions should constrain the English to retire into their own country. In order to hasten this latter event, they did not neglect the usual, though barbarous precaution for diffreffing an invading enemy, by burning and laying waste all the adjacent country ". The zeal, however, of the nation frustrated their intentions; eager to contribute towards removing their oppreffors, the people produced their hidden stores to support their friends; the neighbouring counties supplied every thing necessary, and far from wanting subsistence, the English found in their camp all forts of provisions at a cheaper rate than had for some time been known in that part of the kingdom x.

On the approach of the English army, the queen regent retired into the castle of Edinburgh. Her health was now in a declining state, and her mind broken and depressed by the misfortunes of her administration. To avoid the danger and fatigue of a fiege, she committed herfelf to the protection of lord Erskine. This nobleman still preserved his neutrality, and by his integrity, and love of his country, merited equally the esteem of both parties. He received the queen herfelf with the utmost honour and respect, but took care to admit no fuch retinue as might endanger his

command of the castle 7.

A FEW days after they arrived in Scotland the English April 6. invested Leith. The garrison shut up within the town was almost half as numerous as the army which sat down before

<sup>\*</sup> Knox, 217. Haynes, 253, &c. 'Mem. de Castel. 450.

"Knox, 225. \* Knox, ibid. 'Forbes's Collect. vol. i. 503. Keith, 122.

BOOK it, and by an obstinate defence protracted the siege to a great length. The circumstances of this siege, related by contemporary historians, men without knowledge or experience in the art of war, are often obscure and impersect, and at this distance of time are not considerable enough to

April 15. Ar first the

AT first the French endeavoured to keep possession of the Hawk Hill, a rifing ground not far diffant from the town, but were beat from it with great flaughter, chiefly by the furious attack of the Scottish cavalry. Within a few days the French had their full revenge; having fallied out with a strong body, they entered the English trenches, broke their troops, nailed part of their cannon, and killed at least double the number they had loft in the former skirmish. Nor were the English more fortunate in an attempt which they made to take the place by affault; they were met with equal courage, and repulfed with confiderable lofs. From the detail of these circumstances by the writers of that age, it is easy to observe the different characters of the French and English troops. The former, trained to war under the active reigns of Francis I. and Henry II. defended themfelves not only with the bravery but with the skill of veterans. The latter, who had been more accustomed to peace, still preferved the intrepid and desperate valour peculiar to the nation, but discovered few marks of military genius, or of experience in the practice of war. Every misfortune or disappointment during the siege must be imputed to manifest errors in conduct. The fuccess of the besieged in their fally was owing entirely to the fecurity and negligence of the English; many of their officers were absent; their foldiers had left their stations; and the trenches were almost without a guard 4. The ladders which had been provided for the affault, wanted a great deal of the necessary length; and the troops employed in that fervice were ill supported. The trenches were opened at first in an improper place; and as it was found expedient to change the ground, both time and labour were loft. The weakness of their own generals, no less than the strength of the French garrison, rendered the progress of the English wonderfully flow. The long continuance, however, of the siege, and the loss of part of their magazines by an accidental fire, reduced the French to extreme distress for want of provisions, which the prospect of relief made them bear with admirable fortitude.

WHILE the hopes and courage of the French protracted the fiege fo far beyond expectation, the leaders of the Con-

gregation

May7.

<sup>\*</sup> Haynes, 294. 298. 305, &c.

gregation were not idle. By new affociations and confede- BOOK racies, they laboured to unite their party more perfectly. By publicly ratifying the treaty concluded at Berwick, they endeayoured to render the alliance with England firm and indiffoluble. Among the fubscribers of these papers we find the earl of Huntly, and some others, who had not hitherto concurred with the Congregation in any of their measures 4. Several of these lords, particularly the earl of Huntly, still adhered to the popish church; but on this occasion neither their religious fentiments, nor their former cautious maxims, were regarded; the torrent of national refentment and indignation against the French hurried them on b.

THE queen regent, the instrument, rather than the cause, Death and of involving Scotland in those calamities under which it character of groaned at that time, died during the heat of the fiege. No the queen dowager. princess ever possessed qualities more capable of rendering June 10. her administration illustrious, or her people happy. much discernment, and no less address; of great intrepidity, and equal prudence; gentle and humane, without weakness; zealous for her religion, without bigotry; a lover of justice, without rigour. One circumstance, however, and that too the excess of a virtue, rather than any vice, poisoned all these great qualities, and rendered her government unfortunate, and her name odious. Devoted to the interest of France, her native country, and attached to the princes of Lorrain, her brothers, with most passionate fondness; she departed, in order to gratify them, from every maxim which her own wisdom or humanity would have approved. She outlived, in a great measure, that reputation and popularity which had smoothed her way to the highest station in the kingdom; and many examples of falfehood, and some of severity, in the latter part of her administration, alienated from her the affections of a people who had once placed in her an unbounded confidence. But even by her enemies, these unjustifiable actions were imputed to the facility, not to the malignity, of her nature; and while they taxed her brothers and French counsellors with rashness and cruelty, they still allowed her

Burn. vol. iii. 287. Knox, 221. Haynes, 261. 263.

The dread of the French power did on many occasions furmount the zeal which the catholic nobles had for their religion. Besides the presumptive evidence for this, arifing from the memorial mentioned by Burnet, Hift. of the Reformation, vol. iii. 281. and published by him, App. p. 278; the instructions of Elizabeth to Randolph her agent, put it beyond all doubt, that many zealous papifts thought the alliance with England to be necessary for preferving the liberty and independence of the kingdom. Keith, 158. Huntly himself began a correspondence with Elizabeth's ministers, before the march of the English army into Scotland. Haynes's State Papers, 261. 263. Seg Append. No. III.

BOOK the praise of prudence and of lenity. A few days before her death, she desired an interview with the prior of St.

Andrew's, the earl of Argyll, and other chiefs of the Congregation. To them she lamented the fatal issue of those violent councils which she had been obliged to follow; and,

gregation. To them she lamented the fatal issue of those violent councils which she had been obliged to follow; and, with the candour natural to a generous mind, confessed the errors of her own administration, and begged forgiveness of those to whom they had been hurtful; but at the same time she warned them, amidst their struggles for liberty and the shock of arms, not to lose sight of the loyalty and subjection which was due to their sovereign d. The remainder of her time she employed in religious meditations and exercises. She even invited the attendance of Willox, one of the most eminent among the reformed preachers, listened to his instructions with reverence and attention , and prepared for

the approach of death with a decent fortitude.

Motives of the French to conclude a peace.

Nothing could now fave the French troops shut up in Leith, but the immediate conclusion of a peace, or the arrival of a powerful army from the continent. The princes of Lorrain amused their party in Scotland with continual expectations of the latter, and had thereby kept alive their hopes and courage; but at last, the situation of France, rather than the terror of the English arms, or the remonstrances of the Scottish malecontents, constrained them, though with reluctance, to turn their thoughts towards pacific councils. The protestants of France were at that time a party formidable by their number, and more by the valour and enterprifing genius of their leaders. Francis II. had treated them with extreme rigour, and discovered, by every ftep he took, a fettled resolution to extirpate their religion, and to ruin those who professed it. At the prospect of this danger to themselves and to their cause, the protestants were alarmed, but not terrified. Animated with zeal, and inflamed with refentment, they not only prepared for their own defence, but refolved, by fome bold action, to anticipate the schemes of their enemies; and as the princes of Lorrain were deemed the authors of all the king's violent measures, they marked them out to be the first victims of their indigna-Hence, and not from any disloyalty to the king, proceeded the famous conspiracy of Amboise; and though the vigilance and good fortune of the princes of Lorrain difcovered and disappointed that design, it was easy to observe new storms gathering in every province of the kingdom, and ready to burst out with all the fury and outrage of civil war.

March 15.

In-

Buchan. 324. Lefley, de Rebus Gest. Scot. 222. Knox, 228.

In this situation, the ambition of the house of Lorrain was BOOK called off from the thoughts of foreign conquests, to defend the honour and dignity of the French crown, and instead of fending new reinforcements into Scotland, it became neceffary to withdraw the veteran troops already employed in that

1560.

In order to conduct an affair of fo much importance and The negodelicacy, the princes of Lorrain made choice of Monluc ciations for bishop of Valence, and of the sieur de Randan. As both that purthese, especially the former, were reckoned inferior to no pole. persons of that age in address and political refinement, Elizabeth opposed to them ambassadors of equal abilities; Cecil her prime minister, a man perhaps of the greatest capacity who had ever held that office; and Wotton dean of Canterbury, grown old in the art of negociation under three fuccessive monarchs. The interests of the French and English courts were soon adjusted by men of so great dexterity in business; and as France easily confented to withdraw those forces which had been the chief occasion of the war, the other points in dispute between that kingdom and England, were not matters of tedious or of difficult discussion.

THE grievances of the Congregation, and their demands upon their own fovereigns for redrefs, employed longer time, and required to be treated with a more delicate hand. After fo many open attempts, carried on by command of the king and queen, in order to overturn the ancient constitution, and to suppress the religion which they had embraced, the Scottish nobles could not think themselves secure, without fixing fome new barrier against the future encroachments of regal power. But the legal steps towards accomplishing this were not fo obvious. The French ambaffadors confidered the entering into any treaty with subjects, and with rebels, as a condescension unsuitable to the dignity of a fovereign; and their fcruples on this head might have put an end to the treaty, if the impatience of both parties for peace had not fuggested an expedient, which seemed to provide for the fecurity of the subject, without derogating from the honour of the prince. The Scottish nobles agreed, on this Articles of occasion to pass from the point of right and privilege, and the treaty. to accept the redress of their grievances as a matter of fa-Whatever additional fecurity their anxiety for perfonal fafety, or their zeal for public liberty, prompted them to demand, was granted in the name of Francis and Mary, as acts of their royal favour and indulgence. And left conceffions

BOOK cessions of this kind should seem precarious and liable to be retracted by the same power which had made them, the French ambaffador agreed to infert them in the treaty with 1360. Elizabeth, and thereby to bind the king and queen inviolably to observe them g.

> In relating this transaction, contemporary historians have confounded the concessions of Francis and Mary to their Scottish subjects, with the treaty between France and England; the latter, besides the ratification of former treaties between the two kingdoms, and stipulations with regard to the time and manner of removing both armies out of Scotland, contained an article to which, as the fource of many important events, we shall often have occasion to refer. The right of Elizabeth to her crown is thereby acknowledged in the strongest terms; and Francis and Mary solemnly engage neither to assume the title, nor to bear the arms of king and

queen of England in any time to come h.

HONOURABLE as this article was for Elizabeth herfelf, the conditions she obtained for her allies the Scots were no less advantageous to them. Monluc and Randan confented, in the name of Francis and Mary, that the French forces in Scotland should instantly be fent back into their own country, and no foreign troops be hereafter introduced into the kingdom without the knowledge and confent of parliament; that the fortifications of Leith and Dunbar should immediately be rased, and no new fort be erected without the permission of parliament; that a parliament should be held on the first day of August, and that assembly be deemed as valid in all respects as if it had been called by the express commandment of the king and queen; that, conformable to the ancient laws and customs of the country, the king and queen should not declare war or conclude peace without the concurrence of parliament; that during the queen's absence, the administration of government should be vested in a council of twelve persons, to be chosen out of twenty-four named by parliament, feven of which council to be elected by the queen, and five by the parliament; that hereafter the king and queen should not advance foreigners to places of trust or dignity in the kingdom, nor confer the offices of treasurer or comptroller of the revenues upon any ecclefiaftic; that an act of oblivion, abolishing the guilt and memory of all offences committed fince the fixth of March one thousand five hundred and fifty-eight, should be passed in the enfuing parliament, and be ratified by the king and queen;

July 6.

<sup>3</sup> Keith, 134, &c. Haynes, 325-364.

h Keith, 134. Rymer, xv. p. 581. 591, &c.

queen; that the king and queen should not, under the co- BOOK lour of punishing any violation of their authority during that period, feek to deprive any of their subjects of the offices, benefices, or estates which they now held; that the redress due to churchmen, for the injuries which they had fustained during the late infurrections, should be left entirely to the cognizance of parliament. With regard to religious controversies, the ambassadors declared that they would not prefume to decide, but permitted the parliament, at their first meeting, to examine the points in difference, and to repre-

fent their fense of them to the king and queeni.

To fuch a memorable period did the lords of the Congre- The effects gation, by their courage and perseverance, conduct an en- of it. terprise which at first promised a very different issue. From beginnings extremely feeble, and even contemptible, the party grew by degrees to great power; and being favoured by many fortunate incidents, baffled all the efforts of their own queen, aided by the forces of a more confiderable kingdom. The fovereign authority was by this treaty transferred wholly into the hands of the Congregation; that limited prerogative, which the crown had hitherto possessed, was almost entirely annihilated; and the aristocratical power, which always predominated in the Scottish government, became supreme and incontrolable. By this treaty too the influence of France, which had long been of much weight in the affairs of Scotland, was greatly diminished; and not only were the present encroachments of that ambitious ally restrained, but, by confederating with England, protection was provided against any future attempt from the same quarter. At the fame time, the controversies in religion being left to the confideration of parliament, the protestants might reckon upon obtaining whatever decision was most favourable to the opinions which they professed.

A FEW days after the conclusion of the treaty, both the

French and English armies quitted Scotland.

THE eyes of every man in that kingdom were turned to- A parliawards the approaching parliament. A meeting, fummoned ment held. in a manner so extraordinary, at such a critical juncture, and to deliberate upon matters of fo much confequence, was expected with the utmost anxiety.

A Scortish parliament fuitable to the ariftocratical genius of the government, was properly an affembly of the nobles. It was composed of bishops, abbots, barons, and a few commillioners of boroughs, who met altogether in one house.

1560.

BOOK The leffer barons, though possessed of a right to be present, either in person or by their representatives, seldom exercised The expence of attending, according to the fashion of the times, with a numerous train of vaffals and dependants; the inattention of a martial age to the forms and detail of civil government; but above all, the exorbitant authority of the greater nobles, who had drawn the whole power into their own hands, made this privilege of fo little value, as to be almost neglected. It appears from the ancient rolls, that during times of tranquillity, few commissioners of boroughs, and almost none of the lesser barons, appeared in parliament. The ordinary administration of government was abandoned, without scruple or jealousy, to the king and to the greater barons. But in extraordinary conjunctures, when the struggle for liberty was violent, and the spirit of opposition to the crown rose to an height, the burgesses and lesser barons were roused from their mactivity, and stood forth to vindicate the The turbulent reign of James III. rights of their country. affords examples in proof of this observation k. The public indignation against the rash designs of that weak and ill-advised prince, brought into parliament, besides the greater nobles and prelates, a confiderable number of the leffer barons.

THE fame causes occasioned the unusual confluence of all orders of men to the parliament, which met on the first of August. The universal passion for liberty, civil and religious, which had feized the nation, fuffered few persons to remain unconcerned spectators of an assembly, whose acts were likely to prove decifive with respect to both. From all corners of the kingdom men flocked in, eager and determined to aid, with their voices in the fenate, the fame cause which they had defended with their fwords in the field. Besides a full convention of peers, temporal and spiritual, there appeared the representatives of almost all the boroughs, and above an hundred barons, who, though of the leffer order, were gentlemen of the first rank and fortune in the nation 1.

THE parliament was ready to enter on business with the utmost zeal, when a difficulty was started concerning the lawfulness of the meeting. No commissioner appeared in the name of the king and queen, and no fignification of their confent and approbation was yet received. These were deemed by many effential to the very being of a parliament. But, in opposition to this fentiment, the express words of the treaty of Edinburgh were urged, by which this affembly was declared to be as valid, in all respects, as if it had been

called and appointed by the express command of the king BOOK and queen. As the adherents of the Congregation greatly outnumbered their adversaries, the latter opinion prevailed. Their boldest leaders, and those of most approved zeal, were chosen to be lords of the articles, who formed a committee of ancient use, and of great importance in the Scottish parliament m. The deliberation of the lords of the articles were carried on with the most unanimous and active zeal. The act of oblivion, the nomination of twenty-four persons, out of whom the council, intrusted with supreme authority, was to be elected; and every other thing prescribed by the late treaty, or which seemed necessary to render it effectual, Its proceedpassed without dispute or delay. The article of religion em- ings with ployed longer time, and was attended with greater difficulty. regard to It was brought into parliament by a petition from those who religion. adopted the principles of the Reformation. Many doctrines of the popish church were a contradiction to reason and a difgrace to religion; its discipline had become corrupt and oppressive; and its revenues were both exorbitant and illapplied. Against all these the protestants remonstrated with the utmost asperity of style, which indignation at their abfurdity, or experience of their pernicious tendency, could inspire; and encouraged, by the number as well as zeal of their friends, to improve fuch a favourable juncture, they aimed the blow at the whole fabric of popery; and befought multiplied abuses ".

the parliament to interpose its authority for rectifying these Several prelates, zealously attached to the ancient superstition, were present in this parliament. But during these vigorous proceedings of the protestants, they stood confounded and at gaze; and perfevered in a filence which was fatal to their cause. They deemed it impossible to resist or divert that torrent of religious zeal, which was still in its full strength; they dreaded that their opposition would irritate their adversaries and excite them to new acts of violence; they hoped that the king and queen would foon be at leifure to put a stop to the career of their infolent subjects, and that, after the rage and havoc of the present storm, the

former tranquillity and order would be restored to the church and kingdom. They were willing, perhaps, to facrifice the doctrine and even the power of the church, in order to ensure

1560.

" Knox, 237.

m From an original letter of Hamilton, archbishop of St. Andrew's, it appears, that the lords of articles were chosen in the manner afterwards appointed by an act of parliament, 1633. Keith, p. 487. Spottiswood seems to consider this to have been the common practice. Hist. 149.

III. 1560.

BOOK the fafety of their own persons, and to preserve the possession of those revenues which were still in their hands. From whatever motives they acted, their filence, which was imputed to the consciousness of a bad cause, afforded matter of great triumph to the protestants, and encouraged them

to proceed with more boldness and alacrity o.

THE parliament did not think it enough to condemn those doctrines mentioned in the petition of the protestants; they moreover gave the fanction of their approbation to a Confession of Faith presented to them by the reformed teachers p; and composed, as might be expected from such a performance at that juncture, on purpose to expose the absurd tenets and practices of the Romish church. By another act, the jurisdiction of the ecclefiastical courts was abolished, and the causes which formerly came under their cognizance were transferred to the decision of civil judges q. By a third flatute, the exercise of religious worship, according to the rites of the Romish church, was prohibited. The manner in which the parliament enforced the observation of this law discovers the zeal of that affembly; the first transgression fubjected the offender to the forfeiture of his goods, and to a corporal punishment, at the discretion of the judge; banishment was the penalty of a fecond violation of the law; and a third act of disobedience was declared to be capital. Such strangers were men at that time to the spirit of toleration, and to the laws of humanity; and with fuch indecent hafte did the very persons who had just escaped the rigour of ecclefiaftical tyranny, proceed to imitate those examples of severity of which they themselves had so justly complained.

With rethe church.

THE vigorous zeal of the parliament overturned in a few gard to the days the ancient system of religion, which had been estarevenues of blished so many ages. In reforming the doctrine and discipline of the church, the nobles kept pace with the ardour and expectations even of Knox himfelf. But their proceedings, with respect to these, were not more rapid and impetuous, than they were flow and dilatory when they entered on the confideration of ecclefiaftical revenues. Among the lay members, fome were already enriched with the spoils of the church, and others devoured in expectation the wealthy benefices which still remained untouched. The alteration in religion had afforded many of the dignified ecclefiaftics themselves an opportunity of gratifying their avarice or ambition. The demolition of the monasteries having set the monks at liberty from their confinement, they inftantly difperfed

> 9 Keith, 152. Knox, 253. P Id. ibid. ' Knox, 254

perfed all over the kingdom, and commonly betook them- B, O O K felves to some fecular employment. The abbot, if he had been fo fortunate as to embrace the principles of the Reformation from conviction, or fo cunning as to espouse them out of policy, feized the whole revenues of the fraternity, and, except what he allowed for the subfistence of a few superannuated monks s, applied them entirely to his own use. The propofal made by the reformed teachers, for applying these revenues towards the maintenance of ministers, the education of youth, and the support of the poor, was equally dreaded by all these orders of men. They opposed it with the utmost warmth, and by their numbers and authority eafily prevailed on the parliament to give no ear to fuch a difagreeable demand t. Zealous as the first reformers were, and animated with a spirit superior to the low considerations of interest, they beheld these early symptoms of selfishness and avarice among their adherents with amazement and forrow; and we find Knox expressing the utmost sensibility of that contempt with which they were treated by many from whom he expected a more generous concern for the fuccess of religion and the honour of its ministers ".

A DIFFICULTY hath been started with regard to the acts of The validithis parliament concerning religion. This difficulty, which parliament at such a distance of time is of no importance, was founded called in on the words of the treaty of Edinburgh. By that, the par- question. liament was permitted to take into confideration the ftate of religion, and to fignify their fentiments of it to the king and queen. But instead of presenting their desires to their sovereigns in the humble form of a supplication or address, the parliament converted them into fo many acts; which, although they never received the royal affent, obtained, all over the kingdom, the weight and authority of laws. In compliance with their injunctions, the established system of religion was every where overthrown, and that recommended by the reformers introduced in its place. The partiality and zeal of the people overlooked or supplied any defect in the form of these acts of parliament, and rendered the observance of them more universal than ever had been yielded to the statutes of the most regular or constitutional assembly. By those proceedings, it must, however, be confessed that the parliament, or rather the nation, violated the last article in the treaty of Edinburgh, and even exceeded the powers which belong to subjects. But when once men Vol. I.

<sup>&</sup>lt;sup>3</sup> Keith, 496. Append. 190, 191.

<sup>&</sup>quot; Knox, 239. 256.

<sup>&#</sup>x27; See Append. No. IV.

BOOK have been accustomed to break through the common boundaries of fubjection, and their minds are inflamed with the passions which civil war inspires, it is mere pedantry or ignorance to measure their conduct by those rules, which can be applied only where government is in a state of order and tranquillity. A nation, when obliged to employ fuch extraordinary efforts in defence of its liberties, avails itself of every thing which can promote this great end; and the necessity of the case, as well as the importance of the object, justify any departure from the common and established rules of the constitution.

Ambaffadors fent by the parliament to France,

In consequence of the treaty of Edinburgh, as well as by the ordinary forms of business, it became necessary to lay the proceedings of parliament before the king and queen. For this purpose, fir James Sandilands of Calder lord St. John was appointed to repair to the court of France. After holding a course so irregular, the leaders of the Congregation had no reason to flatter themselves that Francis and Mary would ever approve their conduct, or confirm it by their royal affent. The reception of their ambaffador was no other than they might have expected. He was treated by the king and queen with the utmost coldness, and dismissed without obtaining the ratification of the parliament's proceedings. From the princes of Lorrain, and their partifans. he endured all the fcorn and infult which it was natural for them to pour upon the party he represented x.

and to Elizabeth.

THOUGH the earls of Morton, Glencairn, and Maitland of Lethington, the ambaffadors of the parliament to Elizabeth their protectress, met with a very different reception; they were not more fuccefsful in one part of the negociation entrusted to their care. The Scots, sensible of the security which they derived from their union with England, were defirous of rendering it indiffoluble. With this view they empowered these eminent leaders of their party to testify to Elizabeth their gratitude for that feafonable and effectual aid which she had afforded them, and at the same time to befeech her to render the friendship between the nations perpetual, by condescending to marry the earl of Arran, who, though a subject, was nearly allied to the royal family of Scotland, and, after Mary, the undoubted heir to the crown.

To the former part of this commission Elizabeth listened with the utmost fatisfaction, and encouraged the Scots, in any future exigency, to hope for the continuance of her good offices;

<sup>\*</sup> Knox 255. Buch. 327. State Papers published by Lord Hardwicke, vol. i. p. 125, &c.

offices; with regard to the latter, she discovered those fen- B o o K timents to which she adhered throughout her whole reign. Averse from marriage, as some maintain through choice, but more probably out of policy, that ambitious princefs would never admit any partner to the throne; but delighted with the entire and uncontrouled exercise of power, she sacrificed to the enjoyment of that, the hopes of transmitting her crown to her own posterity. The marriage with the earl of Arran could not be attended with any fuch extraordinary advantage, as to shake this resolution; she declined it therefore, but with many expressions of good will towards the Scottish nation, and of respect for Arran himself y.

1560.

Towards the conclusion of this year, diftinguished by so The death many remarkable events, there happened one of great im- of Francis portance. On the fourth of December died Francis II. a prince of feeble constitution, and of a mean understanding. As he did not leave any iffue by the queen, no incident could have been more fortunate to those who, during the late commotions in Scotland, had taken part with the Congregation. Mary, by the charms of her beauty, had acquired an entire ascendant over her husband; and as she transferred all her influence to her uncles the princes of Lorrain, Francis followed them implicitly in whatever track they were pleased to lead him. The power of France, under such direction, alarmed the Scottish malecontents with apprehenfions of danger, no less formidable than well-founded. The intestine disorders which raged in France, and the seafonable interpolition of England in behalf of the Congregation, had hitherto prevented the princes of Lorrain from carrying their defigns upon Scotland into execution. But under their vigorous and decifive administration, it was impossible that the commotions in France could be of long continuance, and many things might fall in to divert Elizabeth's attention, for the future, from the affairs of Scotland. In either of these events, the Scots would stand exposed to all the vengeance which the refentment of the French court The blow, however, long fufpended, was unavoidable, and must fall at last with redoubled weight. From this prospect and expectation of danger, the Scots. were delivered by the death of Francis; the ancient confederacy of the two kingdoms had already been broken, and by this event the chief bond of union which remained was diffolved. Catherine of Medicis, who, during the minority of Charles IX. her fecond fon, engroffed the entire direction

y Burn. 3. Append. 308. Keith, 154, &c.

Mary retires from

the court

of France.

BOOK of the French councils, was far from any thoughts of vindicating the Scottish queen's authority. Catherine and Mary had been rivals in power during the reign of Francis II. and had contended for the government of that weak and unexperienced prince; but as the charms of the wife eafily triumphed over the authority of the mother, Catherine could never forgive fuch a disappointment in her favourite passion, and beheld now, with fecret pleafure, the difficult and perplexing scene on which her daughter-in-law was about to enter. Mary, overwhelmed with all the forrow which fo fad a reverse of fortune could occasion; slighted by the queen-mother z; and forfaken by the tribe of courtiers, who appear only in the funshine of prosperity, retired to Rheims, and there in folitude indulged her grief, or hid her indignation. Even the princes of Lorrain were obliged to contract their views; to turn them from foreign to domestic objects; and instead of forming vast projects with regard to Britain, they found it necessary to think of acquiring and establishing an interest with the new administration.

IT is impossible to describe the emotions of joy which, on all these accounts, the death of the French monarch excited among the Scots. They regarded it as the only event which could give firmness and stability to that system of religion and government which was now introduced; and it is no wonder cotemporary historians should ascribe it to the immediate care of Providence, which, by unforeseen expedients, can fecure the peace and happiness of kingdoms, in those situations where human prudence and invention would

utterly despair a.

Establishment of presbyterian church government.

ABOUT this time the protestant church of Scotland began to affume a regular form. Its principles had obtained the fanction of public authority, and some fixed external policy became necessary for the government and preservation of the infant fociety. The model introduced by the Reformers differed extremely from that which had been long established. The motives which induced them to depart fo far from the ancient fystem deserve to be explained.

THE licentious lives of the clergy, as has been already observed, seem to have been among the first things that excited any suspicion concerning the truth of the doctrines which they taught, and roused that spirit of inquiry which proved fatal to the popish system. As this disgust at the vices of the ecclefiaftics was foon transferred to their persons, and shifting from them, by no violent transition, settled at

laft

last upon the offices which they enjoyed; the effects of the B O O K Reformation would naturally have extended not only to the doctrine, but to the form of government in the popish church; and the same spirit which abolished the former, would have overturned the latter. But in the arrangements which took place in the different kingdoms and states of Europe in consequence of the Reformation, we may observe fomething fimilar to what happened upon the first establishment of Christianity in the Roman empire. In both periods, the form of ecclefiaftical policy was modelled, in fome meafure, upon that of the civil government. When the Chriftian church was patronifed and established by the state, the jurisdiction of the various orders of ecclefialtics, diftinguished by the names of Patriarchs, Archbishops, and Bishops, was made to correspond with the various divisions of the empire; and the ecclefiaftic of chief eminence in each of these posfessed authority more or less extensive in proportion to that of the civil magistrate who presided over the same district. When the Reformation took place, the episcopal form of government, with its various ranks and degrees of fubordination, appearing to be most consistent with the genius of monarchy, it was continued, with a few limitations, in feveral provinces of Germany, in England, and in the northern kingdoms. But in Switzerland and some part of the Low Countries, where the popular form of government allowed more full fcope to the innovating genius of the Reformation, all pre-eminence of order in the church was destroyed, and an equality established more suitable to the spirit of republican policy. As the model of episcopal government was copied from that of the Christian church as established in the Roman empire, the fituation of the primitive church, prior to its establishment by civil authority, seems to have suggested the idea, and furnished the model of the latter system, which has fince been denominated Presbyterian. The first Christians, oppressed by continual persecutions, and obliged to hold their religious affemblies by stealth and in corners, were contented with a form of government extremely simple. The influence of religion concurred with the fense of danger in extinguishing among them the spirit of ambition, and in preserving a parity of rank, the effect of their sufferings, and the cause of many of their virtues. Calvin, whose decisions were received among many protestants of that age with incredible fubmission, was the patron and restorer of this scheme of ecclesiastical policy. The church of Geneva, formed under his eye and by his direction, was deemed the most perfect model of this government; and Knox,

BOOK who, during his refidence in that city, had studied and ad-III. mired it, warmly recommended it to the imitation of his countrymen.

1560.

Among the Scottish nobility, some hated the persons, and others coveted the wealth, of the dignified clergy; and by abolishing that order of men, the former indulged their refentment, and the latter hoped to gratify their avarice. The people, inflamed with the most violent aversion to popery, and approving of every scheme that departed farthest from the practice of the Romish church, were delighted with a fystem so admirably suited to their predominant pasfion: while the friends of civil liberty beheld with pleasure the protestant clergy pulling down with their own hands that fabric of ecclesiastical power which their predecessors had reared with fo much art and industry; and flattered themselves, that by lending their aid to strip churchmen of their dignity and wealth, they might entirely deliver the nation from their exorbitant and oppressive jurisdiction. The new mode of government easily made its way among men thus prepared, by their various interests, and passions, for its reception.

But, on the first introduction of his system, Knox did not deem it expedient to depart altogether from the ancient form b. Instead of bishops, he proposed to establish ten or twelve superintendants in different parts of the kingdom. These, as the name implies, were empowered to inspect the life and doctrine of the other clergy. They presided in the inserior judicatories of the church, and performed several other parts of the episcopal function. Their jurisdiction, however, extended to facred things only; they claimed no seat in parliament, and pretended no right to the dignity or

revenues of the former bishops.

The number of inferior clergy, to whom the care of parochial duty could be committed, was still extremely small; they had embraced the principles of the Reformation at different times, and from various motives; during the public commotions, they were scattered, merely by chance, over the different provinces of the kingdom; and in a few places only were formed into regular classes or societies. The first general assembly of the church, which was held this year, bears all the marks of an infant and unformed society. The members were but sew in number, and of no considerable rank; no uniform or consistent rule seems to have been observed in electing them. From a great part of

Dec. 20.

the kingdom no representatives appeared. In the name of BOOK fome entire counties, but one person was present; while in other places, a fingle town or church fent feveral members. A convention, fo feeble and irregular, could not poffefs extensive authority; and, conscious of their own weakness, the members put an end to their debates, without venturing

upon any decision of much importance c.

In order to give greater strength and consistence to the presbyterian plan, Knox, with the affiftance of his brethren, composed the first book of discipline, which contains the model or platform of the intended policy d. They prefented it to a convention of estates, which was held in the beginning Whatever regulations were proposed with re- Jan. 15. of the year. gard to ecclefiaftical discipline and jurisdicton, would have eafily obtained the fanction of that affembly; but a defign to recover the patrimony of the church, which is there infinuated, met with a very different reception.

In vain did the clergy difplay the advantages which would accrue to the public, by a proper application of ecclefiastical revenues. In vain did they propose, by an impartial distribution of this fund, to promote true religion, to encourage learning, and to support the poor. In vain did they even intermingle threatenings of the divine displeasure against the unjust detainers of what was appropriated to a facred use. The nobles held fast the prey which they had seized; and bestowing upon the proposal the name of a devout imagination, they affected to confider it as a project altogether visionary,

and treated it with the utmost fcorn e.

This convention appointed the prior of St. Andrew's to The queen repair to the queen, and to invite her to return into her na-invited to tive country, and to assume the reins of government, which return into Scotland. had been too long committed to other hands. Though fome of her fubjects dreaded her return, and others forefaw dangerous consequences with which it might be attended f, the bulk of them defired it with fo much ardour, that the invitation was given with the greatest appearance of unanimity. But the zeal of the Roman catholics got the start of the prior in paying court to Mary; and Lesley, afterwards bishop of Ross, who was commissioned by them, arrived before him at the place of her residence s. Lesley endeavoured to infuse into the queen's mind suspicions of her protestant subjects, and to persuade her to throw herself entirely into the arms of those who adhered to her own religion. For this purpose, he infifted that she should land at Aberdeen;

d Spotf. 152. c Keith, 498.

e Knox, 256.

See Append. No. V.

Lefley 227.

BOOK deen; and as the protestant doctrines had made no considerable progress in that part of the kingdom, he gave her affurance of being joined in a few days by twenty thousand men; and flattered her, that with fuch an army, encouraged by her presence and authority, she might easily overturn the reformed church, before it was firmly fettled on its foundations.

Bur at this juncture, the princes of Lorrain were not difposed to listen to this extravagant and dangerous proposal. Intent on defending themselves against Catherine of Medicis, whose insidious policy was employed in undermining their exorbitant power, they had no leifure to attend to the affairs of Scotland, and wished their niece to take possession of her kingdom with as little disturbance as possible. The French officers too, who had ferved in Scotland, diffuaded Mary from all violent measures; and, by representing the power and number of the protestants to be irresistible, determine; her to court them by every art; and rather to employ the leading men of that party as ministers, than to provoke them, by a fruitless opposition, to become her enemies h. Hence proceeded the confidence and affection with which the prior of St. Andrew's was received by the queen. His representation of the state of the kingdom gained great credit; and Lesley beheld with regret the new channel in which court favour was likely to run.

ANOTHER convention of estates was held in May. The arrival of an ambaffador from France feems to have been the occasion of this meeting. He was instructed to solicit the Scots to renew their ancient alliance with France, to break their new confederacy with England, and to restore the popith ecclefiaftics to the possession of their revenues and the exercise of their functions. It is no easy matter to form any conjecture concerning the intentions of the French court in making these extraordinary and ill-timed propositions. They were rejected with that scorn which might well have been

expected from the temper of the nation i.

In this convention, the protestant clergy did not obtain a more favourable audience than formerly, and their prospect of recovering the patrimony of the church still remained as distant and uncertain as ever. But, with regard to another point, they found the zeal of the nobles in no degree abated. The book of discipline seemed to require that the monuments of popery, which still remained in the kingdom, should be demolished k; and, though neither the same pretence of

policy,

h Melv. 261. i Knox, 269. 273. k Spotfwood, 153,

policy, nor the fame ungovernable rage of the people, re- BOOK mained to justify or excuse this barbarous havoc, the convention, confidering every religious fabric as a relic of idolatry, passed sentence upon them by an act in form; and 1562. persons the most remarkable for the activity of their zeal were appointed to put it in execution. Abbies, cathedrals, churches, libraries, records, and even the sepulchres of the dead, perished in one common ruin. The storm of popular infurrection, though impetuous and irrefiftible, had extended only to a few counties, and foon spent its rage; but now a deliberate and universal rapine completed the devastation of every thing venerable and magnificent which had escaped its violence 1.

In the mean time, Mary was in no hafte to return into Mary Scotland. Accustomed to the elegance, splendour, and begins to gaiety of a polite court, she still fondly lingered in France, for it. the scene of all these enjoyments, and contemplated with horror the barbarism of her own country, and the turbulence of her fubjects, which prefented her with a very different face of things. The impatience, however, of her people, the perfuasions of her uncles, but above all, the studied and mortifying neglect with which she was treated by the queen mother, forced her to think of beginning this difagreeable voyage m. But while she was preparing for it, there were fown between her and Elizabeth the feeds of that perfonal jealoufy and difcord, which embittered the life and shortened the days of the Scottish queen.

THE ratification of the late treaty of Edinburgh was the Origin of immediate occasion of this fatal animosity; the true cause of the discord it lay much deeper. Almost every article in that treaty had between been executed by both parties with a scrupulous exactness. Elizabeth. The fortifications of Leith were demolished, and the armies of France and England withdrawn within the appointed time. The grievances of the Scottish malecontents were redressed, and they had obtained whatever they could demand for their future fecurity. With regard to all these Mary could have little reason to decline, or Elizabeth to urge, the ratification of the treaty.

THE fixth article remained the only fource of contest and difficulty. No minister ever entered more deeply into the schemes of his sovereign, or pursued them with more dexterity and fuccess than Cecil. In the conduct of the negociation

at Edinburgh, the found understanding of this able politician had proved greatly an overmatch for Monluc's refinements

BOOK in intrigue, and had artfully induced the French ambaffadors, not only to acknowledge that the crowns of England and Ireland, did of right belong to Elizabeth alone, but also to promife, that in all times to come Mary should abstain from 1561. using the titles, or bearing the arms, of those kingdoms.

THE ratification of this article would have been of the most fatal confequence to Mary. The crown of England was an object worthy of her ambition. Her pretentions to it gave her great dignity and importance in the eyes of all Europe. By many, her title was esteemed preferable to that of Elizabeth. Among the English themselves, the Roman catholics, who formed at that time a numerous and active party, openly espoused this opinion; and even the protestants, who supported Elizabeth's throne, could not deny the queen of Scots to be her immediate heir. A proper opportunity to avail herfelf of all these advantages could not, in the course of things, be far distant, and many incidents might fall in, to bring this opportunity nearer than was expected. In these circumstances, Mary, by ratifying the article in dispute, would have loft that rank which she had hitherto held among neighbouring princes; the zeal of her adherents must have gradually cooled; and the might have renounced, from that moment,

all the hopes of ever wearing the English crown ".

None of these beneficial consequences escaped the penetrating eye of Elizabeth, who, for this reason, had recourse to every thing by which she could hope either to footh or frighten the Scottish queen into a compliance with her demands; and if that princess had been so unadvised as to ratify the rash concessions of her ambassadors, Elizabeth, by that deed, would have acquired an advantage, which, under her management, must have turned to great account. By fuch a renunciation, the question with regard to the right of fuccession would have been left altogether open and undecided; and, by means of that, Elizabeth might either have kept her rival in perpetual anxiety and dependence, or, by the authority of her parliament, the might have broken in upon the order of lineal fuccession, and transferred the crown to fome other descendant of the royal blood. The former conduct she observed towards James VI. whom, during his whole reign, she held in perpetual fear and subjection. The latter and more rigorous method of proceeding would, in all probability, have been employed against Mary, whom, for many reasons she both envied and hated.

Non

Nor was this step beyond her power, unprecedented in BOOK the history, or inconfistent with the constitution, of England. Though fuccession by hereditary right be an idea so natural and so popular, that it has been established in almost every civilized nation, yet England affords many memorable instances of deviations from that rule. The crown of that kingdom having once been feized by the hand of a conqueror, this invited the bold and enterprifing in every age to imitate fuch an illustrious example of fortunate ambition. From the time of William the Norman, the regular course of descent had feldom continued through three successive reigns. Those princes, whose intrigues or valour opened to them a way to the throne, called in the authority of the great council of the nation to confirm their dubious titles. Hence parliamentary and hereditary right became in England of equal consideration. That great affembly claimed and actually possessed a power of altering the order of regal fuccession; and even so late as Henry VIII. an act of parliament had authorifed that capricious monarch to fettle the order of fuccession at his pleasure. The English, jealous of their religious liberty, and averse from the dominion of ftrangers, would have eagerly adopted the passions of their fovereign, and might have been eafily induced to exclude the Scottish line from the right of succeeding to the crown. These seem to have been the views of both queens, and these were the difficulties which retarded the ratification of the treaty of Edinburgh.

But, if the fources of their discord were to be traced no higher than this treaty, an inconsiderable alteration in the words of it might have brought the present question to an amicable issue. The indefinite and ambiguous expression which Cecil had inserted into the treaty, might have been changed into one more limited but more precise; and Mary, instead of promising to abstain from bearing the title of Queen of England, in all times to come might have engaged not to assume that title during the life of Elizabeth,

or the lives of her lawful posterity o.

SUCH

<sup>&</sup>quot;This expedient for terminating the difference between Elizabeth and Mary was so obvious, that it could not fail of presenting itself to the view of the English ministers. "There hath been a matter secretly thought of (says Cecil in a letter to Throkmorton, July 14, 1561), which I dare communicate to you, although I mean never to be an author thereof; and that is, if an accord might be made betwixt our mistress and the Scottish queen, that this should by parliament in Scotland, &c. surrender into the queen's majesty all matter of claim, and unto the heirs of her body; and in consideration thereof, the Scottish queen's interest should be acknowledged in default of heirs of the body of the queen's majesty. Well God send our mistress a husband, and by time a son, that we may

BOOK III. 1561.

Such an amendment, however, did not fuit the views of either queen. Though Mary had been obliged to fufpend for some time the prosecution of her title to the English crown, she had not however relinquished it. She determined to revive her claim on the first prospect of success, and was unwilling to bind herfelf, by a positive engagement, not to take advantage of any fuch fortunate occurrence. Nor would the alteration have been more acceptable to Elizabeth, who, by agreeing to it, would have tacitly recognifed the right of her rival to ascend the throne after her decease. But neither the Scottish nor English queen durst avow these secret sentiments of their hearts. An open discovery of an inclination to disturb the tranquillity of England, or to wrest the scepter out of Elizabeth's hands, might have proved fatal to Mary. Any fuspicion of a design to alter the order of succession, and set aside the claim of the Scottish queen, would have exposed Elizabeth to much and deserved centure, and have raised up against her many and dangerous enemies. These, however carefully concealed or artfully difguifed, were, in all probability, the real motives which determined the one queen to folicit, and the other to refuse, the ratification of the treaty in its original form; while neither had recourse to that explication of it, which to an heart unwarped by political interest, and sincerely desirous of union and concord, would have appeared fo obvious and natural.

But though confiderations of interest first occasioned this rupture between the British queens, rivalship of another kind contributed to widen the breach, and semale jealousy increased the violence of their political hatred. Elizabeth, with all those extraordinary qualities by which she equalled or surpassed such of her sex as have merited the greatest renown, discovered an admiration of her own person, to a degree which women of ordinary understandings either do not entertain, or prudently endeavour to conceal. Her attention to dress, her solicitude to display her charms, her love of slattery, were all excessive. Nor were these weaknesses confined to that period of life when they are more pardonable. Even in very advanced years, the wifest women

hope our posterity shall have a masculine succession. This matter is too big for weak folks, and too deep for simple. The queen's majesty knoweth of it." Hardw. State Pap. i. 174. But with regard to every point relating to the succession, Elizabeth was so jealous, and so apt to take offence, that her most confidential ministers durst not urge her to advance one step farther than she herself chose to go. Cecil, mentioning some scheme about the succession if the queen should not marry or leave issue, adds, with his usual caution; "This song hath many parts; but, for my part, I have no skill but in plain song." Ibid. 178.

men of that, or perhaps of any other age, wore the garb, BOOK and affected the manners of a girl p. Though Elizabeth was as much inferior to Mary in beauty and gracefulness of perfon, as she excelled her in political abilities and in the arts of government, she was weak enough to compare herself with the Scottish queen q; and as it was impossible she could be altogether ignorant how much Mary gained by the comparison, she envied and hated her as a rival by whom she was eclipsed. In judging of the conduct of princes, we are apt to ascribe too much to political motives, and too little to the passions which they feel in common with the rest of mankind. In order to account for Elizabeth's present, as well as her subsequent conduct towards Mary, we must not always consider her as a queen, we must sometimes regard her merely as a woman.

ELIZABETH, though no stranger to Mary's dissiculties with respect to the treaty, continued to urge her, by repeated applications, to ratify it r. Mary, under various pretences, still contrived to gain time, and to elude the request. But while the one queen solicited with persevering importunity, and the other evaded with artful delay, they both studied an extreme politeness of behaviour, and loaded each other with professions of sisterly love, with reciprocal declarations of

unchangeable efteem and amity.

IT was not long before Mary was convinced, that among princes these expressions of friendship are commonly far distant from the heart. In failing from France to Scotland, fase-conthe course lies along the English coast. In order to be safe duct from the insults of the English sleet, or, in case of tempestuous weather, to secure a retreat in the harbours of that kingdom, Mary sent M. D'Oysel to demand of Elizabeth a safe-conduct during her voyage. This request, which decency alone obliged one prince to grant to another, Elizabeth rejected, in such a manner as gave rise to no slight suspicion of a design, either to obstruct the passage, or to intercept the person of the Scottish queen's.

Mary, in a long conference with Throkmorton, the English ambassador in France, explained her sentiments concerning this ungenerous behaviour of his mistress, in a strain of dignified expostulation, which conveys an idea of her abilities, address, and spirit, as advantageous as any transaction in her reign. Mary was at that time only in her eighteenth year; and as Throkmorton's account of what passed in his inter-

Elizabeth refufes

P Johnston Hist. Rer. Britan. 346, 347. Carte, vol. iii. 699. Catalogue of Royal and Noble Authors, article Essex.

1 Keith, 157. 160, &c. 160, &c.

BOOK view with her, is addressed directly to Elizabeth t, that dexterous courtier, we may be well affured, did not embellish the discourse of the Scottish queen with any colouring too favourable. 1561.

Mary begins her voyage.

WHATEVER refentment Mary might feel, it did not retard her departure from France. She was accompanied to Calais, the place where she embarked, in a manner suitable to her dignity, as the queen of two powerful kingdoms. Six princes of Lorrain her uncles, with many of the most eminent among the French nobles, were in her retinue. Catherine, who fecretly rejoiced at her departure, graced it with every circumstance of magnificence and respect. After bidding adieu to her mourning attendants, with a fad heart, and eyes bathed in tears, Mary left that kingdom, the fhort but only scene of her life in which fortune smiled upon her. While the French coast continued in fight, she intently gazed upon it, and musing, in a thoughtful posture, on that height of fortune whence she had fallen, and presaging, perhaps, the difafters and calamities which embittered the remainder of her days, the fighed often, and cried out, "Fare-"well France! Farewell beloved country, which I shall " never more behold!" Even when the darkness of the night had hid the land from her view, she would neither retire to the cabin, nor tafte food, but commanding a couch to be placed on the deck, she there waited the return of day with the utmost impatience. Fortune foothed her on this occasion; the galley made little way during the night. In the morning, the coast of France was still within fight, and she continued to feed her melancholy with the prospect; and as long as her eyes could diftinguish it, to utter the same tender expressions of regret 4. At last a brisk gale arose, by the favour of which for fome days, and afterwards under the cover of a thick fog, Mary escaped the English fleet, which lay in wait to intercept her x; and on the nineteenth of August,

Cabbala, p. 374. Keith, 170, &c.
Brantome, 483. He himself was in the same galley with the queen. \* Goodal, vol, i. 175. Camden infinuates, rather than affirms, that it was the object of the English fleet to intercept Mary. This, however, seems to be doubtful. Elizabeth positively afferts, that at the request of the king of Spain The had fitted out a few ships of slender force, in order to clear the narrow seas of pirates, which infested them; and she appeals for the truth of this to Mary's own ministers. App. No. VI. p. 403. Cecil, in a letter to Throkmorton, Aug. 26, 1561, informs him, that "the queen's ships, which were upon the feas to cleanse them of pirates, saw her [i. e. Mary], and saluted her galleys, and staying her ships, examined them of pirates, and dismissed them gently. One Scottish ship they detain as vehemently suspected of piracy." Hard. State Papers, i. 176. Castelnau, who accompanied Mary in this voyage, confirms the circumstance of her galleys being in sight of the English fleet." Mem. ap. Jebb, xi.

August, after an absence of near thirteen years, landed BOOK fafely at Leith in her native kingdom.

MARY was received by her subjects with shouts and acclamations of joy, and with every demonstration of welcome 1561. and regard. But as her arrival was unexpected, and no Arrives in fuitable preparation had been made for it, they could not, scotland. with all their efforts, hide from her the poverty of the country, and were obliged to conduct her to the palace of Holyrood-house with little pomp. The queen, accustomed from her infancy to fplendour and magnificence, and fond of them, as was natural at her age, could not help observing the change in her fituation, and feemed to be deeply affected with it y.

Never did any prince ascend the throne at a juncture State of the which called for more wisdom in council, or more courage kingdom at and steadiness in action. The rage of religious controversy that time. The memory of past oppression exaswas still unabated. perated the protestants; the fmzrt of recent injuries rendered the papifts desperate; both were zealous, fierce, and irrecon-The absence of their sovereign had accustomed the nobles to independence; and during the late commotions, they had acquired fuch an increase of wealth, by the spoils of the church, as threw great weight into the scale of the aristocracy, which stood not in need of any accession of power. The kingdom had long been under the government of regents, , who exercised a delegated jurisdiction, attended with little authority, and which inspired no reverence. A state of pure anarchy had prevailed for the two last years, without a regent, without a fupreme council, without the power, or even the form of a regular government 2. A licentious spirit, unacquainted with subordination, and disdaining the restraints of law and justice, had spread among all ranks of men. The influence of France, the ancient ally of the kingdom, was withdrawn or despised. The English, who of enemies become confederates, had grown into confidence with the nation, and had gained an afcendant over all its councils. The Scottish monarchs did not derive more splendour or power from the friendship of the former, than they had reason to dread injury and diminution from the interpolition of the latter. Every confideration, whether of interest or self-preservation, obliged Elizabeth to depress the royal authority in Scotland, and to create the prince perpetual difficulties, by fomenting the spirit of diffatisfaction among the people.

In this posture were the affairs of Scotland, when the administration fell into the hands of a young queen, not nine-

BOOK teenth years of age, unacquainted with the manners and laws of her country, a stranger to her subjects, without experi-

ence, without allies, and almost without a friend.

On the other hand, in Mary's fituation we find fome circumstances, which, though they did not balance these difadvantages, contributed however to alleviate them; and, with skilful management, might have produced great effects. Her subjects, unaccustomed so long to the residence of their prince, were not only dazzled by the novelty and fplendour of the royal presence, but inspired with awe and reverence. Besides the places of power and profit bestowed by the favour of a prince, his protection, his familiarity, and even his fmiles, confer honour and win the hearts of men. From all corners of the kingdom, the nobles crowded to testify their duty and affection to their fovereign, and studied by every art to wipe out the memory of past misconduct, and to The amusements and gaiety lay in a stock of future merit. of her court, which was filled with the most accomplished of the French nobility, who had attended her, began to foften and to polish the rude manners of the nation. Mary herself possessed many of those qualifications which raise affection and procure efteem. The beauty and gracefulness of her person drew universal admiration, the elegance and politeness of her manners commanded general respect. all the charms of her own fex, she added many of the accomplishments of the other. The progress she had made in all the arts and fciences, which were then deemed necessary or ornamental, was far beyond what is commonly attained by princes; and all her other qualities were rendered more agreeable by a courteous affability, which, without leffening the dignity of a prince, steals on the hearts of subjects with a bewitching infinuation.

From these circumstances, notwithstanding the threatening aspect of affairs at Mary's return into Scotland, notwithstanding the clouds which gathered on every hand, a political observer would have predicted a very different issue of her reign; and whatever sudden gusts of faction he might have expected, he would never have dreaded the destructive

violence of that storm which followed.

WHILE all parties were contending who should discover the most dutiful attachment to the queen, the zealous and impatient spirit of the age broke out in a remarkable instance. On the Sunday after her arrival, the queen commanded mass to be celebrated in the chapel of her palace. The first rumour of this occasioned a secret murmuring among the protestants who attended the court; complaints and threaten-

ings

ings foon followed; the fervants belonging to the chapel BOOK were infulted and abused; and, if the prior of St. Andrew's had not seasonably interposed, the rioters might have proceeded to the utmost excesses.

IT is impossible, at this distance of time, and under circumstances so very different, to conceive the violence of that zeal against popery, which then possessed the nation. Every instance of condescension to the papists was deemed an act of apostacy, and the toleration of a fingle mass pronounced to be more formidable to the nation than the invasion of ten thousand armed men b. Under the influence of these opinions, many protestants would have ventured to go dangerous lengths; and, without attempting to convince their fovereign by argument, or to reclaim her by indulgence, would have abruptly denied her the liberty of worshipping God in that manner which alone she thought acceptable to him. But the prior of St. Andrew's and other leaders of the party, not only restrained this impetuous spirit, but, in spite of the murmurs of the people and the exclamations of the preachers, obtained for the queen and her domestics the undisturbed exercise of the catholic religion. Near an hundred years after this period, when the violence of religious animofities had begun to fubfide, when the time and progress of learning had enlarged the views of the human mind, an English house of commons refused to indulge the wife of their sovereign in the private use of the mass. The protestant leaders, deferve, on this occasion, the praise both of wisdom and of moderation for conduct fo different. But, at the fame time, whoever reflects upon the encroaching and fanguinary fpirit of popery in that age, will be far from treating the fears and caution of the more zealous reformers as altogether imaginary and destitute of any real foundation.

THE leaders of the protestants, however, by this prudent compliance with the prejudices of their sovereign, obtained from her a proclamation highly savourable to their religion, which was issued fix days after her arrival in Scotland. The reformed doctrine, though established over all the kingdom by the parliament, which met in consequence of the treaty of pacification, had never received the countenance or fanction of royal authority. In order to quiet the minds of those who had embraced that doctrine, and to remove any dread of molestation which they might entertain, Mary declared, that until she should take final orders concerning religion, with advice of parliament, any attempt to alter or subvert Vol. I.

1 Knoz, 287.

1561. She em-

BOOK the religion, which she found universally practifed in the III. realm, should be deemed a capital crime. c." Next year a fecond proclamation to the same effect was published d.

THE queen, conformable to the plan which had been concerted in France, committed the administration of affairs protestants entirely to protestants. Her council was filled with the most inthe admi- eminent persons of that party; not a single papist was admitted into any degree of confidence c. The prior of St. Andrew's and Maitland of Lethington feemed to hold the first place in the queen's affection, and possessed all the power and reputation of favourite ministers. Her choice could not have fallen upon persons more acceptable to her people; and, by their prudent advice, Mary conducted herself with so much moderation, and deference to the fentiments of the nation, as could not fail of gaining the affection of her fubjects i, the firmest foundation of a prince's power, and the

only genuine fource of his happiness and glory.

Attempts to gain Elizabeth's favour.

A CORDIAL reconcilement with Elizabeth was another object of great importance to Mary; and though she feems to have had it much at heart, in the beginning of her adminiftration, to accomplish such a defirable conjunction, yet many events-occured to widen, rather than to close, the breach. The formal offices of friendship, however, are seldom neglected among princes; and Elizabeth, who had attempted so openly to obstruct the queen's voyage into Scotland, did not fail, a few days after her arrival, to command Randolph to congratulate her fafe return. Mary, that she might be on equal terms with her, fent Maitland to the English court, with many ceremonious expressions of regard for Elizabeth s. Both the ambaffadors were received with the utmost civility; and on each fide the professions of kindness, as they were made with little fincerity, were liftened to with proportional

BOTH were intrusted, however, with fomething more than mere matter of ceremony. Randolph urged Mary, with fresh importunity, to ratify the treaty of Edinburgh. Maitland endeavoured to amuse Elizabeth, by apologizing for the dilatory conduct of his mistress with regard to that point. The multiplicity of public affairs fince her arrival in Scotland, the importance of the question in dispute, and the absence of many noblemen, with whom she was obliged in decency to confult, were the pretences offered in excuse for her conduct; the real causes of it were those which have our or publicate, any attempt to the or lubrere

already

Keith, 504. Ledey, 235.

d Ibid. 510. e Knox, 285. . 4 Keith, 181, &c.

already been mentioned. But, in order to extricate herself BOOK out of these dishculties, into which the treaty of Edinburgh had led her, Mary was brought to yield a point, which formerly she seemed determined never to give up. She instructed Maitland to fignify her willingness to disclaim any right to the crown of England, during the life of Elizabeth, and the lives of her posterity; if, in failure of these, she

was declared next heir by act of parliament h.

REASONABLE as this proposal might appear to Mary, who thereby precluded herfelf from difturbing Elizabeth's poffession of the throne, nothing could be more inconfistent with Elizabeth's interest, or more contradictory to a passion which predominited in the character of that princefs. Notwithstanding all the great qualities which threw fuch luftre on her reign, we may observe that she was tinctured with a jealousy of her right to the crown, which often betrayed her into mean and ungererous actions. The peculiarity of her fituation heightened, no doubt, and increased, but did not infuse this passion. It decended to her from Henry VII. her grandfather, whom, in feveral features of his character, the nearly refembled. Like him, she suffered the title by which she held the crown to renain ambiguous and controverted, rather than fubmit it to parliamentary discussion, or derive any addition to her right from fuch authority. Like him, the observed every preunder to the fuccession, not only with that attention which pruence prescribes, but with that aversion which suspicion inspres. The present uncertainty with regard to the right of ficcession operated for Elizabeth's advantage, both on her fubjects and on her rivals. Among the former, every lover of his country regarded her life as the great fecurity of the najonal tranquillity; and chose rather to acknowledge a tite which was dubious, than to fearch for one that was unkown. The latter, while nothing was decided, were held il dependence, and obliged to court her. The manner in which she received this ill-timed proposal of the Scottish queen, was no other than might have been expected. She rejected it in a peremptory tone, with many expressions of a resolution never to permit a point of so much delicacy to be touched.

ABOUT this time the queen made her public entry into Sept. 1. Edinburgh with great pomp. Nothing was neglected which could express the duty and affection of the citizens towards their fovereign. But amidst these demonstrations of regard, the genius and fentiments of the nation discovered themselves in a circumstance, which, though inconsiderable, ought not

h Camden, 387: Buch. 329.

no o k to be overlooked. As it was the mode of the times to exhibit many pageants at every public folemnity, most of these, on this occasion, were contrived to be representations of the vengeance which the Almighty had inflicted upon idolaters.

Even while they studied to amuse and to flatter the queen, her subjects could not refrain from testifying their abhorrence of

that religion which she professed.

Restrains the licence of the borderers.

To restore the regular administration of justice, and to reform the internal policy of the country, became the next object of the queen's care. The laws enacted for preservation of public order, and the fecurity of private property, were nearly the same in Scotland as in every other civilized country. But the nature of the Scottish constitution, the feebleness of regal authority, the exorbitant power of the nobles, the violence of faction, and the fierce manners of the people, rendered the execution of these laws feeble, irregular, and partial. In the counties which border on England, this defect was most apparent; and the consequences of it most fensibly felt. The inhabitants, strangers o industry, averse from labour, and unacquainted with the arts of peace, fubfifted chiefly by spoil and pillage, and, being confederated in feps or clans, committed these excess not only with impunity, but even with honour. During the unsettled state of the kingdom from the death of Janes V. this dangerous licence had grown to an unufual hight; and the inroads and rapine of those freebooters were become no less intolerable to their own countrymen than to the English. To restrain and punish these outrages, was an action equally popular in both kingdoms. The prior of St Andrew's was the person chosen for this important service, and extraordinary powers, together with the title of the queen's lieutenant, were vested in him for this purpose

Nothing can be more furprising to men accustomed to regular government, than the preparations made on thisocasion. They were such as might be expected in the rudet and most imperfect state of society. The freeholders of eleven several counties, with all their followers completely armed, were summoned to assist the lieutenant in the discharge of his office. Every thing resembled a military expedition, rather than the progress of a court of justice k. The prior executed his commission with such vigour and prudence, as acquired him a great increase of reputation and popularity among his countrymen. Numbers of the banditti suffered the punishment due to their crimes; and, by the impartial and rigorous administration of justice, order and tranquillity

were restored to that part of the kingdom.

DURING

DURING the absence of the prior of St. Andrew's, the BOOK leaders of the popish faction seem to have taken some steps towards infinuating themselves into the queen's favour and confidence 1. But the archbishop of St. Andrew's, the most remarkable person in the party for abilities and political ad- The papists dress, was received with little favour at court; and whatever vain, to get fecret partiality the queen might have towards those who into savour professed the same religion with herself, she discovered no with her. inclination at that time to take the administration of affairs out of the hands to which she had already committed it.

THE cold reception of the archbishop of St. Andrew's, was owing to his connection with the house of Hamilton; from which the queen was much alienated. The duke of Guife and the cardinal could never forgive the zeal with which the duke of Chatelherault and his fon the earl of Arran had espoused the cause of the Congregation. Princes feldom view their fuccessors without jealousy and distrust. The prior of St. Andrew's, perhaps, dreaded the duke as a rival in power. All these causes concurred in infusing into the queen's mind an aversion for that family. The duke indulging his love of retirement, lived at a diftance from court, without taking pains to infinuate himself into favour; and though the earl of Arran openly aspired to marry the queen, he, by a most unpardonable act of imprudence, was the only nobleman of distinction who opposed Mary's enjoying the exercise of her religion; and by rashly entering a public protestation against it, entirely forfeited her favour m. At the fame time, the fordid parfimony of his father obliged him either to hide himself in some retirement, or to appear in a manner unbecoming his dignity as first prince of the blood, or his high pretensions as fuitor to the queen a. His love inflamed by disappointment, and his impatience exasperated by neglect, preyed gradually on his reason; and, after many extravagancies, broke out at last in ungovernable frenzy.

Towards the end of the year, a convention of estates was Dec. 20. held, chiefly on account of ecclefiastical affairs. The affembly of the church which fat at the same time prefented a petition, containing many demands with respect to the suppression of popery, the encouraging the protestant religion, and the providing for the maintenance of the clergy. The latter was a matter of great importance, and the steps taken towards it deserve to be traced.

THOUGH

<sup>1</sup> Keith, 203. · Ibid. 210.

m Ibid, 201. 204. Knox, 286.

<sup>&</sup>quot; Keith, 196.

III. 1561. A new regulation concerning the revechurch.

THOUGH the number of protestant preachers was now confiderably increased, many more were still wanted, in every corner of the kingdom. No legal provision having been made for them, they had hitherto drawn a fcanty and precarious fubfiftence from the benevolence of their people. To fuffer the ministers of an established church to continue in this state of indigence and dependence, was an indecency nues of the equally repugnant to the principles of religion, and to the maxims of found policy; and would have justified all the imputations of avarice with which the Reformation was then loaded by its enemies. The revenues of the popish church were the only fund which could be employed for their relief; but during the three last years the state of these was greatly altered. A great majority of abbots, priors, and other heads of religious houses, had, either from a sense of duty, or from views of interest, renounced the errors of popery; and, notwithstanding this change in their fentiments, they retained their ancient revenues. Almost the whole order of bishops, and several of the other dignitaries, still adhered to the Romish superstition; and though debarred from every spiritual function, continued to enjoy the temporalities of their benefices. Some laymen, especially those who had been active in promoting the Reformation, had, under various pretences, and amidst the licence of civil wars, got into their hands possessions which belonged to the church. Thus, before any part of the ancient ecclefiaftical revenues could be applied towards the maintenance of the protestant ministers, many different interests were to be adjusted; many claims to be examined; and the prejudices and passions of the two contending parties required the application of a delicate hand. After much contention, the following plan was approved by a majority of voices, and acquiesced in even by the popish clergy themselves. An exact account of the value of ecclefiaftical benefices throughout the kingdom was appointed to be taken. The present incumbents, to whatever party they adhered, were allowed to keep possession: two-thirds of their whole revenue were referved for their own use, the remainder was annexed to the crown; and out of that, the queen undertook to affign a sufficient maintenance for the protestant clergy p.

As most of the bishops and several of the other dignitaries were still firmly attached to the popish religion, the extirpation of the whole order, rather than an act of fuch extraordinary indulgence, might have been expected from

the zeal of the preachers, and from the spirit which had \$60 k hitherto animated the nation. But, on this occasion, other principles obstructed the operations of such as were purely religious. Zeal for liberty, and the love of wealth, two passions extremely opposite, concurred in determining the protestant leaders to fall in with this plan, which deviated so manifestly from the maxims by which they had hitherto re-

gulated their conduct.

If the reformers had been allowed to act without controul, and to level all distinctions in the church, the immense revenues annexed to ecclefiaftical dignities could not, with any colour of justice, have been retained by those in whose hands they now were; but must either have been distributed among the protestant clergy, who performed all religious offices, or must have fallen to the queen, from the bounty of whose ancestors the greater part of them was originally derived. The former scheme, however suitable to the religious spirit of many among the people, was attended with manifold danger. The popish ecclesiastics had acquired a thare in the national property, which far exceeded the proportion that was confiftent with the happiness of the kingdom; and the nobles were determined to guard against this evil, by preventing the return of those vast possessions into the hands of the church. Nor was the latter, which exposed the constitution to more imminent hazard, to be avoided with less care. Even that circumscribed prerogative, which the Scottish kings possessed, was the object of jealousy to the nobles. If they had allowed the crown to feize the spoils of the church, such an increase of power must have followed that accession of property, as would have raised the royal authority above controul, and have rendered the most limited prince in Europe the most absolute and independent. The reign of Henry VIII. presented a recent and alarming example of this nature. The wealth which flowed in upon that prince, from the suppression of the monasteries, not only changed the maxims of his government, but the temper of his mind; and he who had formerly submitted to his parliaments and courted his people, dictated from that time to the former with intolerable infolence, and tyrannized over the latter with unprecedented feverity. And if his policy had not been extremely short-sighted, if he had not squandered what he acquired, with a profusion equal to his rapaciousness, and which defeated his ambition, he might have established despotism in England, on a basis so broad and strong, as all the efforts of the subjects would never have been able to shake. In Scotland, where the riches of the clergy bore as

III. 1561.

BOOK great a proportion to the wealth of the kingdom, the acquifition of church lands would have been of no less importance to the crown, and no less fatal to the aristocracy. The nobles, for this reason, guarded against such an increase of the royal power, and thereby secured their own inde-

pendence.

AVARICE mingled itself with their concern for the interest The re-uniting the possessions of the church of their order. to the crown, or the bestowing them on the protestant clergy, would have been a fatal blow, both to those nobles who had, by fraud or violence, seized part of these revenues, and to those abbots and priors who had totally renounced their ecclefiastical character. But as the plan which was proposed gave some fanction to their usurpation, they promoted it with their utmost influence. The popish ecclesiastics, though the lopping off a third of their revenues was by no means agreeable to them, confented, under their present circumstances, to facrifice a part of their possessions, in order to purchase the secure enjoyment of the remainder; and after deeming the whole irrevocably loft, they confidered whatever they could retrieve as fo much gain. Many of the ancient dignitaries were men of noble birth; and as they no longer entertained hopes of restoring the popish religion, they wished their own relations, rather than the crown, or the protestant clergy, to be enriched with the spoils of the church. They connived, for this reason, at the encroachment of the nobles; they even aided their avarice and violence; they dealt out the patrimony of the church among their own relations, and by granting feus and perpetual leafes of lands and tithes, gave, to the utmost of their power, some colour of legal possession to what was formerly mere usurpation. Many vestiges of such alienations still remain q. The nobles, with the concurrence of the incumbents, daily extended their encroachments, and gradually stripped the ecclesiastics of their richest and most valuable possessions. Even that third part, which was given up in order to filence the clamours of the protestant clergy, and to be some equivalent to the crown for its claims, amounted to no confiderable fum. The thirds due by the more powerful nobles, especially by such as had embraced the Reformation, were almost universally remitted. Others, by producing fraudulent rentals; by estimating the corn, and other payments in kind, at an undervalue; and by the connivance of collectors, greatly diminished the charge against themselves : and the nobles had much reason to be fatisfied

<sup>5</sup> Keith, 507. Spotfw. 171. Keith, Append. 188. Spotiw. 183.

fatisfied with a device which, at fo small expence, secured BOOK

to them fuch vast possessions.

Nor were the protestant clergy considerable gainers by this new regulation; they found it to be a more easy matter to kindle zeal, than to extinguish avarice. Those very men, The protection testant whom formerly they had fwayed with absolute authority, clergy no were now deaf to all their remonstrances. The prior of gainers by St. Andrew's, the earl of Argyll, the earl of Morton, and a. Maitland, all the most zealous leaders of the Congregation, were appointed to assign, or, as it was called, to modify their stipends. An hundred merks Scottish was the allowance which their liberality afforded to the generality of ministers. To a few three hundred merks were granted s. About twenty-four thousand pounds Scottish appears to have been the whole fum allotted for the maintenance of a national church established by law, and esteemed throughout the kingdom the true church of God '. Even this fum was paid with little exactness, and the ministers were kept in the same poverty and dependence as formerly.

THE gentleness of the queen's administration, and the elegance of her court, had mitigated, in some degree, the Dissenting of the nobles and accustomed them to greater mild ferocity of the nobles, and accustomed them to greater mild-nobles. ness and humanity; while, at the same time, her presence and authority were a check to their factious and tumultuary spirit. But, as a state of order and tranquillity was not natural to the feudal aristocracy, it could not be of long continuance; and this year became remarkable for the most vio-

lent eruptions of intestine discord and animosity.

Among the great and independent nobility of Scotland, 2 monarch could possess little authority, and exercise no extensive or rigorous jurisdiction. The interfering of interest, the unfettled state of property, the frequency of public commotions, and the fierceness of their own manners, sowed among the great families the feeds of many quarrels and contentions. These, as we have already observed, were frequently decided not by law, but by violence. The offended baron, without having recourse to the monarch, or acknowledging his fuperior authority, affembled his own followers, and invaded the lands of his rival in an hoftile man-Together with his estate and honours, every nobleman transmitted some hereditary feud to his posterity, who were bound in honour to adopt and to profecute it with the fame inveterate rancour.

SUCH

February.

SUCH a diffension had subsisted between the house of Hamilton and the earl of Bothwell, and was heightened by mutual injuries during the late commotions ". The earl of Arran and Bothwell happening to attend the court at the fame. time, their followers quarrelled frequently in the streets of Edinburgh, and excited dangerous tumults in that city. At last the mediation of their friends, particularly of Knox, brought about a reconcilement, but an unfortunate one to both these noblemen x.

> A FEW days after, Arran came to Knox, and, with the utmost terror and confusion, confessed first to him, and then to the prior of St. Andrew's, that, in order to obtain the fole direction of affairs, Bothwell, and his kinfmen the Hamilton's, had conspired to murder the prior, Maitland, and the other favourites of the queen. The duke of Chatelherault regarded the prior as a rival, who had supplanted him in the queen's favour, and who filled that place at the helm, which he imagined to be due to himself, as first prince of the blood. Bothwell, on account of the personal injuries which he had received from the prior during the late commotions, was no less exasperated against him. But whether he and the Hamiltons had agreed to cement their new alliance with the blood of their common enemy, or whether the conspiracy existed only in the frantic and disordered imagination of the earl of Arran, it is impossible, amidst the contradiction of historians and the defectiveness of records, positively to determine. Among men inflamed with refentment and impatient for revenge, rash expressions might be uttered, and violent and criminal expedients proposed; and on that foundation, Arran's diffempered fancy might rear the whole fuperstructure of a conspiracy. All the person's accused denied their guilt with the utmost considence. But the known characters of the men, and the violent spirit of the age, added greatly to the probability of the accufation, and abundantly justified the conduct of the queen's ministers, who confined Bothwell, Arran, and a few of the ringleaders, in separate prisons, and obliged the duke to furrender the strong castle of Dumbarton, which he had held ever fince the time of his refigning the office of regent y.

The earl of Huntly's enmity to the queen's ministers.

THE designs of the earl of Huntly against the prior of St. Andrew's were deeper laid, and produced more memorable and more tragical events. George Gordon earl of Huntly, having been one of the nobles who conspired against James III. and who raifed his fon James IV. to the throne, enjoyed

a great

1561

great share in the considence of that generous prince . By BOOK his bounty, great accessions of wealth and power were added III. to a family already opulent and powerful. On the death of that monarch, Alexander the next earl, being appointed lord lieutenant of all the counties beyond Forth, left the other nobles to contend for offices at court; and retiring to the north, where his estate and influence lay, resided there in a kind of princely independence. The chieftains in that part of the kingdom dreaded the growing dominion of fuch a cangerous neighbour, but were unable to prevent his encroachments. Some of his rivals he fecretly undermined, others he subdued by open force. His estaté sar exceeded that of any other fubject, and his superiorities and jurisdictions extended over many of the northern counties. With power and possessions so immense, under too long and feeble minorities, and amidst the shock of civil commotions, the earls of Huntly might have indulged the most elevated hopes. But happily for the crown, an active and enterprifing spirit was not the characteristic of that family, and whatever object their ambition might have in view, they chose rather to acquire it by political address, than to feize it openly, and by force of arms.

THE conduct of George the prefent earl, during the late commotions, had been perfectly fuitable to the character of the family in that age, dubious, variable, and crafty. While the fuccess of the lords of the Congregation was uncertain, he affisted the queen regent in her attempts to crush them. When their affairs put on a better afpect, he pretended to join them, but never heartily favoured their cause. He was courted and feared by each of the contending partie; both connived at his encroachments in the north; and, by artifice and force, which he well knew how to employ alternately, and in their proper places, he added every day to

the exorbitant power and wealth which he poffeffed.

He observed the growing reputation and authority of the prior of St. Andrew's with the greatest jealousy and concern, and confidered him as a rival who had engrolled that hare in the queen's confidence, to which his own zeal for the popish religion seemed to give him a preferable title. Personal injuries soon increased the misunderstanding occafioned by rivalship in power. The queen, having determined to reward the fervices of the prior of St. Andrew's, by creating him an earl, the made choice of Mar, as the place whence he should take his title; and that he might be better abla

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June 27-

BOOK able to support his new honour, bestowed upon him at the same time the lands of that name. These were part of the royal demess a, but the earls of Huntly had been permitted, for several years, to keep possession of them b. On this occasion the earl not only complained, with some reason, of the loss which he sustained, but had real cause to be alarmed at the intrusion of a formidable neighbour into the heart of his territories, who might be able to rival his power, and excite his

oppressed vassals to shake off his yoke.

An incident, which happened foon after, increased and confirmed Huntly's fuspicions. Sir John Gordon, his third fon, and lord Ogilvie, had a dispute about the property of an estate. This dispute became a deadly quarrel. They happened unfortunately to meet in the streets of Edinburgh, and being both attended with armed followers, a fcuffle enfued, in which lord Ogilvie was dangerously wounded by Sir John. The magistrates seized both the offenders, and the queen commanded them to be strictly confined. Under any regular government, fuch a breach of public peace and order would expose the person offending to certain punishment. At this time some severity was necessary, in order to vindicate the queen's authority from an infult, the most heinous which had been offered to it fince her return into Scotland. But, in an age accustomed to licence and anarchy, even this moderate exercise of her power, in ordering them to be kept in custody, was deemed an act of intolerable rigour: and the friends of each party began to convene their vaffals and dependants, in order to overawe, or to frustrate, the decifions of justice c. Meanwhile Gordon made his escape out of prison, and flying into Aberdeenshire, complained loudly of the indignity with which he had been treated; and as all the queen's actions were, at this juncture, imputed to the earl of Mar, this added not a little to the refentment which Huntly had conceived against that nobleman.

August. AT the v

At the very time when these passions fermented, with the utmost violence, in the minds of the earl of Huntly and his family, the queen happened to set out on a progress into the northern parts of the kingdom. She was attended by the earls of Mar and Morton, Maitland, and other leaders of that party. The prefence of the queen, in a country where no name greater than the earl of Huntly's had been heard of, and no power superior to his had been exercised, for many years, was an event of itself abundantly mortifying to that haughty nobleman. But while the queen was entirely under the

the direction of Mar, all her actions were more apt to be BOOK mifrepresented, and construed into injuries; and a thousand circumstances could not but occur to awaken Huntly's jealouly, to offend his pride, and to inflame his refentment. Amidst the agitations of so many violent passions, some eruption was unavoidable.

1562

On Mary's arrival in the north, Huntly employed his wife, a woman capable of executing the commission with abundance of dexterity, to footh the queen, and to intercede for pardon for their fon. But the queen peremptorily required that he should again deliver himself into the hands of justice, and rely on her clemency. Gordon was perfuaded to do fo; and being enjoined by the queen to enter himself prisoner in the castle of Stirling, he promised likewise to obey that command. Lord Erskine, Mar's uncle, was at that time governor of this fort. The queen's feverity, and the place in which she appointed Gordon to be confined, were interpreted to be new marks of Mar's rancour, and augmented the hatred of the Gordon's against him.

MEANTIME, Sir John Gordon set out towards Stirling; Sept. 1.

but instead of performing his promise to the queen, made his escape from his guards, and returned to take the command of his followers, who were rifing in arms all over the north. These were destined to second and improve the blow, by which his father proposed, secretly and at once, to cut off Mar, Morton, and Maitland, his principal adversaries. The time and place for perpetrating this horrid deed were frequently appointed; but the executing of it was wonderfully prevented, by some of those unforeseen accidents, which so often occur to disconcert the schemes, and to intimidate the hearts, of affaffins d. Huntly's own house at Strathbogie was the last and most convenient scene appointed for committing the intended violence. But on her journey thither, the queen heard of young Gordon's flight and rebellion, and refusing, in the first transports of her indignation, to enter under the father's roof, by that fortunate expression of her resentment saved her ministers from unavoidable destructione.

THE ill success of these efforts of private revenge precipi- Take arms tated Huntly into open rebellion. As the queen was en- against the tirely under the direction of his rivals, it was impossible to queen. compass their ruin without violating the allegiance which he owed his fovereign. On her arrival at Invernels, the commanding officer in the castle, by Huntly's orders, thut the gates against her. Mary was obliged to lodge in the town,

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The utmost consternation seized the queen, who was attendated by a wery slender train. She every moment expected the approach of the rebels, and some ships were already ordered into the river to secure her escape. The loyalty of the Monroes, Frazers, Mackintoshes, and some neighbouring clans, who took arms in her defence, saved her from this danger. By their affistance, she even forced the castle to surrender, and inflicted on the governor the punishment which his in-

folence deferved. This open act of disobedience was the occasion of a meafure more galling to Huntly than any the queen had hitherto taken. Lord Erskine having pretended a right to the earldom of Mar, Stewart refigned it in his favour; and at the fame time Mary conferred upon him the title of earl of Mur. ray, with the estate annexed to that dignity, which had been in the possession of the earl of Huntly since the year 15488. From this encroachment upon his domains he concluded that his family was devoted to destruction; and dreading to be thripped gradually of those possessions which, in reward of their fervices, the gratitude of the crown had bestowed on himself or his ancestors, he no longer disguised his intentions, but, in defiance of the queen's proclamation, openly took arms. Instead of yielding those places of strength, which Mary required him to furrender, his followers difperfed or cut in pieces the parties which she dispatched to take possession of them h; and he himself advancing with confiderable body of men towards Aberdeen, to which place the queen was now returned, filled her small court with contternation. Murray had only an handful of men in whom he could confide i. In order to form the appearance of an army, he was obliged to call in the affiftance of the neighbouring barons; but as most of these either favoured Huntly's defigns, or flood in awe of his power, from them no cordial or effectual fervice could be expected.

October 28.

WITH these troops, however, Murray, who could gain nothing by delay, marched briskly towards the enemy. He found them at Corrichie, posted to great advantage; he commanded his northern associates instantly to begin the attack; but on the first motion of the enemy, they treacherously turned their backs; and Huntly's followers, throwing asside their spears, and breaking their ranks, drew their swords, and rushed forward to the pursuit. It was then that Murray

He is defeated by

gave

Crawf. Officers of State, 87, 88. Knox, 319.

F Crawf. Peer. 359.

gave proof, both of steady courage and of prudent conduct. Book He flood immoveable on a rifing ground, with the small but trusty body of his adherents, who presenting their spears to the enemy, received them with a determined refolution, 1362 which they little expected. The Highland broad fword is the carl of not a weapon fit to encounter the Scottish spear. In every Muray. civil commotion, the fuperiority of the latter has been evident, and has always decided the contest. On this occasion the irregular attack of Huntly's troops was eafily repulfed by Murray's firm battalion. Before they recovered from the confusion occasioned by this unforeseen resistance, those who had begun the flight, willing to regain their credit with the victorious party, fell upon them, and completed the rout. Huntly himself, who was extremely corpulent, was trodden to death in the pursuit. His fons, fir John and Adam, were taken, and Murray returned in triumph to Aberdeen with his prisoners.

The trial of men taken in actual rebellion against their sovereign was extremely short. Three days after the battle, fir John Gordon was beheaded at Aberdeen. His brother Adam was pardoned on account of his youth. Lord Gordon, who had been privy to his father's designs, was seized in the south, and upon trial sound guilty of treason; but, through the queen's elemency, the punishment was remitted. The first parliament proceeded against this great family with the utmost rigour of law, and reduced their power and for-

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mysterious passages in the Scottish history. As it was a transaction purely domestic, and in which the English were little interested, few original papers concerning it have been found in Cecil's Collection, the great storehouse of evidence and information with regard to the affairs of this period.

Buchanan supposes Mary to have formed a design about this time of destroying Murray, and of employing the power of the earl of Huntly for this purpose. But his account of this whole transaction appears to be so void of truth, and even of probability, as to deserve no serious examination. At that time Mary wanted power, and seems to have had no inclination to commit any act of violence upon her brother.

Two other hypotheses have been advanced, in order to explain this matter;

but they appear to be equally remote from truth.

1. It cannot well be conceived, that the queen's journey to the north was a scheme concerted by Murray, in order to ruin the earl of Huntly. 1. Huntly had resided at court almost ever since the queen's return. Keith, 198. Append. 175, &c. This was the proper place in which to have seized him. To attack him in Aberdeenshire, the seat of his power, and in the midst of his vassals, was a project equally absurd and hazardous. 2. The queen was not accompanied with a body of troops, capable of attempting any thing against Huntly by violence; her train was not more numerous than was usual in times of greatest tranquillity. Keith, 230. 3. There remain two original letters with regard to this conspiracy, one from Randolph the English resident, and another from Maitland, both directed to Cecil. They talk of Huntly's measures as notoriously treasonable. Randolph mentions his repeated

BOOK HI.

~ 1562.

An interview between Elizabeth and Mary pro-

As the fall of the earl of Huntly is the most important event of this year, it would have been improper to interrupt the narrative by taking notice of leffer transactions, which

may now be related with equal propriety.

In the beginning of fummer, Mary, who was defirous of entering into a more intimate correspondence and familiarity with Elizabeth, employed Maitland to defire a personal interview with her, fomewhere in the north of England. As this proposal could not be rejected with decency, the time, the place, and the circumstances of the meeting, were instantly agreed upon. But Elizabeth was prudent enough not to admit into her kingdom a rival who outshone herself fo far in beauty and gracefulness of person; and who excelled fo eminently in all the arts of infinuation and address. Under pretence of being confined to London, by the attention which she was obliged to give to the civil wars in France, the put off the interview for that feafon , and prevented her subjects from seeing the Scottish queen, the charms of whose appearance and behaviour she envied, and had some reason to dread.

June 2.

During this year, the affembly of the church met twice. Decem. 25. In both these meetings were exhibited many complaints of the poverty and dependence of the church; and many murmurs against the negligence or avarice of those who had been appointed to collect and distribute the small fund, appropriated for the maintenance of preachers m. A petition, craving redress of their grievances, was presented to the queen; but without any effect. There was no reason to expect that Mary would discover any forwardness to grant the requests of such supplicants,

> peated attempts to assassinate Murray, &c. No hint is given of any previous refolution, formed by Mary's ministers, to ruin Huntly and his family. Had any such design ever existed, it was Randolph's duty to have discovered it; nor would Maitland have laboured to conceal it from the Eng-

lift fecretary. Keith, 229. 232.

II. To suppose that the earl of Huntly had laid any plan for seizing the queen and her ministers, seems to be no less improbable. I. On the queen's arrival in the north, he laboured in good earnest, to gain her favour, and to obtain a pardon for his fon. Knox, 318. 2. He met the queen, first at Aberdeen, and then at Rothemay, whither he would not have ventured to come, had he harboured any fuch treasonable resolution. Knox, 318. 3. His conduct was irrefolute and wavering, like that of a man disconcerted by an unforeseen danger, not like one executing a concerted plan. 4. The most considerable persons of his clan submitted to the queen, and found surety to obey her commands. Keith, 226. Had the earl been previously determined to rife in arms against the queen, or to seize her ministers, it is probable he would have imparted it to his principal followers, nor would they have deferted him in this manner.

For these reasons we have, on the one hand, vindicated the earl of Murray from any deliberate invention of ruining the family of Gordon; and on the other hand, we have imputed the violent conduct of the earl of Huntly to a fudden start of refentment, without charging him with any pre-

meditated purpose of rebellion.

1 Keith, 216.

m Knox, 311. 323.

plicants. As her ministers, though all most zealous pro- BOOK testants, were themselves growing rich on the inheritance of the church, they were equally regardless of the indigence and demands of their brethren.

Mary had now continued above two years in a state of Negociawidowhood. Her gentle administration had secured the tions with hearts of her subjects, who were impatient for her marriage, regard to and wished the crown to descend in the right line from their marriage. ancient monarchs. She herfelf was the most amiable woman of the age, and the fame of her accomplishments, together with the favourable circumstance of her having one kingdom already in her possession, and the prospect of mounting the throne of another, prompted many different princes to folicit an alliance so illustrious. Scotland, by its situation,. threw fo much weight and power into whatever scale it fell, that all Europe waited with folicitude for Mary's determination; and no event in that age excited stronger political fears and jealousies; none interested more deeply the pasfions of feveral princes, or gave rife to more contradictory intrigues, than the marriage of the Scottish queen.

THE princes of the house of Austria remembered what She is solivast projects the French had founded on their former alliance cited by difwith the queen of Scots; and though the unexpected death, princes. first of Henry and then of Francis, had hindered these from taking effect, yet if Mary should again make choice of a husband among the French princes, the same designs might

be revived and profecuted with better fuccefs.

In order to prevent this, the emperor entered into a nego- By the ciation with the cardinal of Lorrain, who had proposed to archduke mary the Scottish queen to the archduke Charles, Ferdinand's third fon. The matter was communicated to Mary; and Melvil, who at that time attended the elector palatine, was commanded to inquire into the character and fituation of the archduke ".

PHILIP II. though no less apprehensive of Mary's falling By Don once more into the hands of France, envied his uncle Ferd - Carlos of nand the acquisition of so important a prize; and as his own Spain. infatiable ambition grafped at all the kingdoms of Europe, he employed his ambaffador at the French court, to folicit the princes of Lorrain in behalf of his fon Don Carlos, at that time the heir of all the extensive dominions which belonged to the Spanish monarchy o.

CATHERINE of Medicis, on the other hand, dreaded the By the marriage of the Scottish queen with any of the Austrian duke of princes, Anjou.

Melv. 63. 65. Keith, 239. See Append. No. VII.

· Casteln. 461. Addit. a Labour. 501. 503.

1563.

BOOK princes, which would have added fo much to the power and pretentions of that ambitious race. Her jealoufy of the princes of Lorrain rendered her no less averse from an alliance which, by fecuring to them the protection of the emperor or king of Spain, would give new boldness to their enterprifing spirit, and enable them to set the power of the crown, which they already rivalled, at open defiance; and as the was afraid that these splendid proposals of the Austrian family would dazzle the young queen, the instantly difpatched Castlenau into Scotland, to offer her in marriage the duke of Anjou, the brother of her former husband, who foon after mounted the throne of France P.

Mary's deliberations

Mary attentively weighed the pretentions of fo many rivals. The archduke had little to recommend him, but his concerning high birth. The example of Henry VIII. was a warning against contracting a marriage with the brother of her former husband; nor could she bear the thoughts of appearing in France, in a rank inferior to that which she had formerly held in that kingdom. She liftened, therefore, with partiality to the Spanish propositions, and the prospect of such vast power and dominions flattered the ambition of a young and aspiring princess.

THREE feveral circumstances, however, concurred to di-

vert Mary from any thoughts of a foreign alliance.

THE first of these was the murder of her uncle the duke of Guife. The violence and ambition of that nobleman had involved his country in a civil war; which was conducted with furious animofity and various fuccefs. At last the duke laid fiege to Orleans, the bulwark of the protestant cause; and he had reduced that city to the last extremity, when he was affaffinated by the frantic zeal of Poltrot. This blow proved fatal to the queen of Scots. The young duke was a minor; and the cardinal of Lorrain, though fubtle and intriguing, wanted that undaunted and enterprising courage, which rendered the ambition of his brother fo formidable. Catherine, instead of encouraging the ambition, or furthering the pretenfions, of her daughter-in-law, took pleafure in mortifying the one, and in disappointing the other. In this fituation, and without fuch a protector, it became neceffary for Mary to contract her views, and to proceed with caution; and whatever prospect of advantage might allure her, she could venture upon no dangerous or doubtful measure.

The views of Eliza-

THE fecond circumstance which weighed with Mary, was the opinion of the queen of England. The marriage of the

Scottish queen interested Elizabeth more deeply than any BOOK other prince; and she observed all her deliberations concerning it with the most anxious attention. She herself seems early to have formed a resolution of living unmarried, and she discovered no small inclination to impose the same law on the queen of Scots. She had already experienced what use might be made of Mary's power and pretenfions to invade her dominions, and to disturb her possession of the crown. The death of Francis II. had happily delivered her from this danger, which she determined to guard against for the future with the utmost care. As the restless ambition of the Austrian princes, the avowed and bigotted patrons of the catholic superstition, made her, in a particular manner, dread their neighbourhood, she instructed Randolph to remonstrate, in the strongest terms, against any alliance with them; and to acquaint Mary, that as the herfelf would confider fuch a match to be a breach of the personal friendships in which they were fo happily united; fo the English nation would regard it as the diffolution of that confederacy which now fubfifted between the two kingdoms: that, in order to preferve their own religion and liberties, they would, in all probability, take some step prejudicial to her right of succession, which, as she well knew, they neither wanted power nor pretences to invalidate and fet afide. This threatening was accompanied with a promise, but expressed in very ambiguous terms, that if Mary's choice of a husband should prove agreeable to the English nation, Elizabeth would appoint proper persons to examine her title to the succession, and, if well founded, command it to be publicly recognifed. She observed, however, a mysterious silence concerning the person on whom she wished the choice of the Scottish queen to fall. The revealing of this fecret was referved for fome future negociation. Meanwhile she threw out some obscure hints, that a native of Britain, or one not of princely rank, would be her fafest and most inosfensive choice q. An advice offered with fuch an air of superiority and command mortified, no doubt, the pride of the Scottish queen. But, under her present circumstances, she was obliged to bear this indignity. Destitute of all foreign assistance, and intent upon the English succession, the great object of her wishes and ambition, it became necessary to court a rival, whom, without manifest imprudence, she could not venture to offend.

THE inclination of her own subjects was another, and The sentinot the least considerable circumstance, which called for ments of N 2 Mary's subjects.

III. 1563.

BOOK Mary's atcention at this conjuncture. They had been taught. by the fatal experiment of her former marriage, to dread an union with any great prince, whose power might be employed to oppress their religion and liberties. They trembled at the thoughts of a match with a foreigner; and if the crown should be strengthened by new dominions or alliances, they forefaw that the royal prerogative would foon be stretched beyond its ancient and legal limits. Their eagerness to prevent this could hardly fail of throwing them once more into the arms of England. Elizabeth would be ready to afford them her aid towards obstructing a measure so disagreeable to herfelf. It was eafy for them to feize the person of the fovereign. By the affistance of the English fleet, they could render it difficult for any foreign prince to land in Scotland. The Roman catholics, now an inconsiderable party in the kingdom, and dispirited by the loss of the earl of Huntly, could give no obstruction to their defigns. To what violent extremes the national abhorrence of a foreign yoke might have been carried, is manifest from what she had already feen and experienced.

For these reasons Mary laid aside, at that time, all thoughts of foreign alliance, and feemed willing to facrifice her own ambition, in order to remove the jealousies of Elizabeth, and

to quiet the fears of her own subjects.

A parliament held, May 26.

THE parliament met this year, for the first time fince the queen's return into Scotland. Mary's administration had hitherto been extremely popular. Her ministers possessed the confidence of the nation; and by confequence, the proceedings of that affembly were conducted with perfect unanimity. The grant of the earldom of Murray to the prior of St. Andrew's, was confirmed: the earl of Huntly, and several of his vaffals and dependants, were attainted: the attainder against Kirkaldy of Grange, and some of his accomplices in the murder of cardinal Beatoun, was reverfed ": the act of oblivion, mentioned in the treaty of Edinburgh, received the royal fanction. But Mary, who had determined never to ratify that treaty, took care that this fanction should not be deemed any acknowledgment of its validity; fhe granted her confent merely in condescension to the lords in parliament, who, on their knees, befought her to allay the jealousies and apprehensions of her subjects, by such a gracious law s.

Nothing with regard religion;

No attempt was made, in this parliament, to procure determined the queen's affent to the laws establishing the protestant religion

<sup>\*</sup> Knox 330.

<sup>&</sup>lt;sup>3</sup> Parl. 9. Q. Mary, c. 67. Spotf. 188.

ligion. Her ministers, though zealous protestants them- BOOK felves, were aware, that this could not be urged without manifest danger and imprudence. She had consented, through their influence, to tolerate and protect the reformed doctrine. They had even prevailed on her to imprison and profecute the archbishop of St. Andrew's, and prior of Whithorn, for celebrating mass contrary to her proclamation t. Mary, however, was still passionately devoted to the Romish church; and though, from political motives, she had granted a temporary protection of opinions which she disapproved, there were no grounds to hope that she would agree to establish them for perpetuity. The moderation of those who professed it, was the best method for reconciling the queen to the protestant religion. Time might abate her bigotry. Her prejudices might wear off gradually, and at last she might yield to the wishes of her people, what their importunity or their violence could never have extorted. Many laws of importance were to be proposed in parliament; and to defeat all thefe, by fuch a fruitless and ill-timed application to the queen, would have been equally injurious to individuals, and detrimental to the public.

THE zeal of the protestant clergy was deaf to all these which of considerations of policy. Eager and impatient, it brooked fends the no delay: fevere and inflexible, it would condefcend to no clergy, compliances. The leading men of that order infifted, that this opportunity of establishing religion by law, was not to be neglected. They pronounced the moderation of the courtiers, apostacy; and their endeavours to gain the queen, they reckoned criminal and fervile. Knox folemnly renounced the friendship of the earl of Murray, as a man devoted to Mary, and fo blindly zealous for her fervice, as to become regardless of those objects which he had hitherto esteemed most facred. This rupture, which is a strong proof of Murray's fincere attachment to the queen at that period,

continued about a year and an half".

THE preachers being disappointed by the men in whom they placed the greatest confidence, gave vent to their indignation in their pulpits. These echoed more loudly than ever, with declarations against idolatry; with dismal prefages concerning the queen's marriage with a foreigner; and and occawith bitter reproaches against those who, from interested sions a tumotives, had deferted that cause which they once reckoned it mult atheir honour to support. The people, inflamed by fuch vehe-people. ment declamations, which were dictated by a zeal more fincere

III. 1563.

August.

B O O K Ancere than prudent, proceeded to rash and unjustifiable acts of violence. During the queen's absence, on a progress into the west, mass continued to be celebrated in her chapel at Holyrood-house. The multitude of those who openly reforted thither, gave great offence to the citizens of Edinburgh, who, being free from the restraint which the royal presence imposed, assembled in a riotous manner, interrupted the fervice, and filled fuch as were prefent with the utmost consternation. Two of the ringleaders in this tumult were

feized, and a day appointed for their trial x.

Knox tried count, but acquitted.

Dec. 15.

Knox, who deemed the zeal of these persons laudable, on that ac- and their conduct meritorious, confidered them as sufferers in a good cause; and in order to screen them from danger, October 8, he issued circular letters, requiring all who professed the true religion, or were concerned for the prefervation of it, to affemble at Edinburgh, on the day of trial, that by their presence they might comfort and assist their distressed brethren y. One of these letters fell into the queen's hands. To affemble the subjects without the authority of the sovereign, was construed to be treason, and a resolution was taken to profecute Knox for that crime, before the privy council. Happily for him, his judges were not only zealous protestants, but the very men who, during the late commotions, had openly refifted and fet at defiance the queen's authority. It was under precedents, drawn from their own conduct, that Knox endeavoured to shelter himself. Nor would it have been an easy matter for these counsellors to have found out a distinction, by which they could censure him, without condemning themselves. After a long hearing, to the aftonishment of Lethington and the other courtiers 2, he was unanimously acquitted. Sinclair bishop of Ross, and president of the court of fession, a zealous papist, heartily concurred with the other counfellors in this decision a; a remarkable fact, which shews the unsettled state of government in that age; the low condition to which regal authority was then funk; and the impunity with which subjects might invade those rights of the crown which are now held facred.

1564. Negociations with regard to

THE marriage of the Scottish queen continued still to be the object of attention and intrigue. Though Elizabeth, even while she wished to direct Mary, treated her with a the queen's difgustful referve; though she kept her, without necessity, in a state of suspense; and hinted often at the person whom

<sup>\*</sup> Knox, 335. y Ibid. 326.

<sup>&</sup>lt;sup>2</sup> Calderw. MS. Hift. i. 832.

<sup>2</sup> Knox, 343.

the destined to be her husband, without directly mentioning BOOK his name; yet Mary framed all her actions to express such a prudent respect for the English queen, that foreign princes began to imagine she had given herself up implicitly to her direction b. The prospect of this union alarmed Catherine of Medicis. Though Catherine had taken pleasure all along in doing ill offices to the queen of Scots; though, foon after the duke of Guise's death, she had put upon her a most mortifying indignity, by stopping the payment of her dowry, by depriving her subject the duke of Chatelherault of his pension, and by bestowing the command of the Scottish guards on a Frenchman; she resolved, however, to prevent this dangerous conjunction of the British queens. this purpose she now employed all her art to appeale Mary d, to whom she had given so many causes of offence. rears of her dowry were instantly paid; more punctual remittances were promised for the future; and offers made, not only to restore, but to extend the privileges of the Scottish nation in France. It was easy for Mary to penetrate into the motives of this fudden change; she well knew the character of her mother-in-law, and laid little stress upon professions of friendship which came from a princess of such a false and unfeeling heart.

THE negotiation with England, relative to the marriage, fuffered no interruption from this application of the French queen. As Mary, in compliance with the wishes of her fubjects, and preffed by the strongest motives of interest, determined fpeedily to marry, Elizabeth was obliged to break that unaccountable filence which she had hitherto affected. March. The fecret was disclosed, and her favourite lord Robert Elizabeth Dudley, afterwards earl of Leicester, was declared to be the recomhappy man whom the had chosen to be the husband of a Leicester to

queen courted by fo many princes e.

ELIZABETH's wisdom and penetration were remarkable in husband. the choice of her ministers; in distinguishing her favourites those great qualities were less conspicuous. She was influenced in two cases so opposite, by merit of very different kinds. Their capacity for business, their knowledge, their prudence, were the talents to which she alone attended in chusing her ministers; whereas beauty and gracefulness of person, polished manners, and courtly address, were the accomplishments on which she bestowed her favour. She acted in the one case with the wisdom of a queen, in the other

III. 1564.

her for a

Keith, 248. c Ibid. 244. d See Append. No. VIII. e Keith, 251.

BOOK other she discovered the weakness of a woman. To this Leicester owed his grandeur. Though remarkable neither of for eminence in virtue nor superiority of abilities, the queen's partiality diffinguished him on every occasion. She raised 1564. him to the highest honours, she bestowed on him the most important employments, and manifested an affection so difproportionate to his merit, that, in the opinion of that age, it could be accounted for only by the power of planetary influence f.

Mary offended at

THE high spirit of the Scottish queen could not well bear the first overture of a match with a subject. Her own rank, the splendour of her former marriage, and the solicitations at this time of fo many powerful princes, crowded into her thoughts, and made her fensibly feel how humbling and difrespectful Elizabeth's proposal was. She dissembled, however, with the English resident; and though she declared, in strong terms, what a degradation she would deem this alliance, which brought along with it no advantage that could justify fuch neglect of her own dignity, she mentioned the earl of Leicester, notwithstanding, in terms full of respect 8.

Elizabeth's ing him.

ELIZABETH, we may prefume, did not wish that the proviews in re- posal should be received in any other manner. After the extraordinary mark the had given of her own attachment to Leicester, and while he was still in the very height of favour, it is not probable the could think feriously of bestowing him upon another. It was not her aim to perfuade, but only to amuse Mary h. Almost three years were elapsed fince her return into Scotland; and though folicited by her fubjects, and courted by the greatest princes in Europe, she had hitherto been prevented from marrying, chiefly by the artifices of Elizabeth. If at this time the English queen could have engaged Mary to liften to her propofal in favour of Leicester, her power over this creature of her own would have enabled her to protract the negotiation at pleasure; and by keeping her rival unmarried, she would have rendered the prospect of her succession less acceptable to the English.

LEICESTER's own fituation was extremely delicate and embarraffing. To gain poffession of the most amiable woman of the age, to carry away this prize from fo many contending princes, to mount the throne of an ancient kingdom, might have flattered the ambition of a fubject much more confiderable than him. He faw all these advantages, no doubt; and, in fecret, they made their full impression on

him.

But, without offending Elizabeth, he durft not ven- Book ture on the most distant discovery of his sentiments, or take any step towards facilitating his acquisition of objects so worthy of defire.

1564

On the other hand Elizabeth's partiality towards him, which the was at no pains to conceal', might infpire him with hopes of attaining the supreme rank in a kingdom more illustrious than Scotland. Elizabeth had often declard that nothing but her resolution to lead a fingle life, and his being born her own fubject, would have hindered her from chufing the earl of Leicester for a husband. Such confiderations of prudence are, however, often furmounted by love; and Leicester might flatter himself, that the violence of her affection would at length triumph both over the maxims of policy and the scruples of pride. These hopes induced him, now and then, to conclude the proposal of his marriage with the Scottish queen to be a project for his destruction; and he imputed it to the malice of Cecil, who, under the specious pretence of doing him honour, intended to ruin him in the good opinion both of Elizabeth and Mary k.

A TREATY of marriage, proposed by one queen who dreaded its fuccefs; liftened to by another, who was fecretly determined against it; and scarcely defired by the man himfelf, whose interest and reputation it was calculated, in appearance, to promote; could not, under fo many unfavourable circumstances, be brought to a fortunate issue. Both Elizabeth and Mary continued, however, to act with equal dissimulation. The former, notwithstanding her fears of losing Leicester, solicited warmly in his behalf. The latter, though the began about this time to cast her eyes upon another subject of England, did not at once venture finally to reject

THE persons towards whom Mary began to turn her Mary enthoughts, was Henry Stewart lord Darnly, eldest fon of the tertains earl of Lennox. That nobleman, having been driven out of marrying Scotland under the regency of the duke of Chatelherault, had lord Darnlived in banishment for twenty years. His wife, lady Mar-ly. garet Douglas, was Mary's most dangerous rival in her claim upon the English succession. She was the daughter of Margaret, the eldest fifter of Henry VIII. by the earl of Angus, whom that queen married after the death of her husband James IV: In that age, the right and order of fuccession was not fettled with the fame accuracy as at prefent. Time, and the decision of almost every case that can possibly happen,

Elizabeth's favourite.

1564.

BOOK have at last introduced certainty into a matter, which naturally is subject to all the variety arising from the caprice of lawyers, guided by obfcure, and often imaginary analogies. The countess of Lennox, though born of a second marriage, was one degree nearer the royal blood of England than Mary. She was the daughter, Mary only the grand-daughter, of Margaret. This was not the only advantage over Mary which the countefs of Lennox enjoyed. She was born in England, and by a maxim of law in that country, with regard to private inheritances, "whoever is not born in England, or at least of parents who, at that time of his birth, were in the obedience of the king of England, cannot enjoy any inheritance in the kingdom 1." This maxim, Hales, an English lawyer, produced in a treatife which he published at this time, and endeavoured to apply it to the right of fuecession to the crown. In a private cause, these pretexts might have given rife to a long and doubtful litigation; where a crown was at stake, such nice disputes and subtilities were to be avoided with the utmost care. If Darnly should happen to contract an alliance with any of the powerful families in England, or should publicly profess the protestant religion, these plausible and popular topics might be so urged, as to prove fatal to the pretentions of a foreigner and of a papift.

MARY was aware of all this; and, in order to prevent any danger from that quarter, had early endeavoured to cultivate a friendly correspondence with the family of Lennox. In the year one thousand five hundred and fixty-two m, both the earl and the lady Margaret were taken into custody by Elizabeth's orders, on account of their holding a fecret corref-

pondence with the Scottish queen.

Elizabeth fecretly pleafed with this.

From the time that Mary became fensible of the difficulties which would attend her marrying a foreign prince, the entered into a still closer connection with the earl of Lennox", and invited him to return into Scotland. This she endeavoured to conceal from Elizabeth; but a transaction of so much importance did not escape the notice of that discerning princess. She observed, but did not interrupt it. Nothing could fall in more perfectly with her views concerning Scottish affairs. She was pleased to see the pride of the Scottish queen stoop at last to the thoughts of taking a subject to her bed. Darnly was in no fituation to excite her jealoufy or her fears. His father's estate lay in England, and by means of this pledge she hoped to keep the negotiation entirely entirely in her own hands, to play the same game of artifice BOOK and delay, which she had planned out, if her recommendation of Leicester had been more favourably received.

f

III. 1564.

As before the union of the two crowns, no subject of one kingdom could pass into the other without the permission of both fovereigns; no fooner did Lennox, under pretence of profecuting his wife's claim upon the earldom of Angus, apply to Elizabeth for her licence to go into Scotland, than Together with it, she gave him letters, he obtained it. warmly recommending his person and cause to Mary's friendship and protection o. But at the same time, as it was her manner to involve all her transactions with regard to Scotland in some degree of perplexity and contradiction; she warned Mary, that this indulgence of Lennox might prove fatal to herself, as his return could not fail of reviving the ancient animofity between him and the house of Hamilton.

This admonition gave umbrage to Mary, and drew from her an angry reply, which occasioned for some time a total interruption of all correspondence between the two queens p. Mary was not a little alarmed at this; she both dreaded the effects of Elizabeth's refentment, and felt senfibly the difadvantage of being excluded from a free intercourse with England, where her ambassadors had all along carried on, with some success, secret negotiations, which increased the number of her partisans, and paved her way towards the throne. In order to remove the causes of the present difficulty, Melvil was sent express to the court of England. He found it no difficult matter to bring about a reconcilement; and foon re-established the appearance, but not the confidence of friendship, which was all that had fublisted for some time between the two queens.

DURING this negotiation, Elizabeth's professions of love to Mary, and Melvil's replies in the name of his miftrefs, were made in the language of the warmest and most cordial friendship. But what Melvil truly observes with respect to Elizabeth, may be extended without injustice, to both queens. "There was neither plain dealing, nor upright meaning,

but great dissimulation, envy, and fear q."

LENNOX, however, in confequence of the licence which he Lennox arhad obtained, fet out for Scotland, and was received by the rives in queen, not only with the respect due to a nobleman so nearly Scotland. allied to the royal family, but treated with a diffinguished familiarity which could not fail of inspiring him with more elevated

III. ¥564.

The rumour of his fon's marriage to the BOOK elevated hopes. queen began to spread over the kingdom; and the eyes of all Scotland were turned upon him as the father of their future master. The duke of Chatelherault was the first to take the alarm. He confidered Lennox as the ancient and hereditary enemy of the house of Hamilton; and, in his grandeur, faw the ruin of himfelf and his friends. But the queen interposed her authority to prevent any violent rupture, and employed all her influence to bring about an accommodation of the differences r.

THE powerful family of Douglas no less dreaded Lennox's return, from an apprehension that he would wrest the earldom of Angus out of their hands. But the queen, who well knew how dangerous it would be to irritate Morton, and other great men of that name, prevailed on Lennox to purchase their friendship, by allowing his lady's claim upon the

earldom of Angus to drop s.

December.

AFTER these preliminary steps, Mary ventured to call a meeting of parliament. The act of forfeiture passed against Lennox in the year one thousand five hundred and forty-five was repealed, and he was publicly restored to the honours and estate of his ancestors t.

June 25. Dec. 25. The clergy **fuspicious** of the

THE ecclefiaftical transactions of this year were not confiderable. In the affemblies of the church, the same complaints of the increase of idolatry, the same representations concerning the poverty of the clergy, were renewed. The queen'szeal reply which the queen made to these, and her promises of for popery. redrefs, were more fatisfying to the protestants than any they had hitherto obtained ". But, notwithstanding her declarations in their favour, they could not help harbouring many suspicions concerning Mary's designs against their religion. She had never once confented to hear any preacher of the reformed doctrine. She had abated nothing of her bigotted attachment to the Romish faith. The genius of that superstition, averse at all times from toleration, was in that age fierce and unrelenting. Mary had given her friends on the continent repeated affurances of her resolution to re-establish the catholic church x. She had industriously avoided every opportunity of ratifying the acts of parliament one thousand five hundred and fixty, in favour of the Reformation. Even the protection which, ever fince her return, the had afforded the protestant religion, was merely temporary, and declared, by her own proclamation, to be of force only "till the should take some final order in the mat-

> r Keith, 259. \* Ibid. 268. Note (b). See Append. No. IX. x Carte, vol. iii. 415; " Keith, 533. 539.

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ter of religion "." The vigilant zeal of the preachers was BOOK inattentive to none of these circumstances. The coldness of their principal leaders, who were at this time entirely devoted to the court, added to their jealousies and fears. These they uttered to the people, in language which they deemed fuitable to the necessity of the times, and which the queen reckoned difrespectful and insolent. In a meeting of the general affembly, Maitland publicly accused Knox of teaching feditious doctrine, concerning the right of fubjects to refift those sovereigns who trespass against the duty which they owe to the people. Knox was not backward to justify what he had taught; and upon this general doctrine of refistance, so just in its own nature, but so delicate in its application to particular cases, there ensued a debate, which admirably displays the talents and character of both the disputants; the acuteness of the former, embellished with learning, but prone to fubtlety; the vigorous understanding of the latter, delighting in bold sentiments, and fuperior to all fear 2.

Two years had already been confumed in fruitless nego-tiations concerning the marriage of the Scottish queen. Dissimula-tion both of Mary had full leisure and opportunity to discern the fallacy Elizabeth and deceit of all Elizabeth's proceedings with respect to that and Mary affair. But, in order to fet the real intentions of the Eng- with regard lish queen in a clear light, and to bring her to some explicit riage. declaration of her sentiments, Mary at last intimated to Randolph, that on condition her right of succession to the crown of England were publicly acknowledged, she was ready to yield to the folicitations of his mistress in behalf of Leicester 2: Nothing could be farther than this from the mind and attention of Elizabeth. The right of fuccession was a mystery, which, during her whole reign, her jealousy preserved untouched and unexplained. She had promised however, when she first began to interest herself in the marriage of the Scottish queen, all that was now demanded. How to retreat with decency, how to elude her former offer, was, on that account, not a little perplexing.

THE facility with which lord Darnly obtained permission to visit the court of Scotland was owing, in all probability, to that embarrassiment. From the time of Melvil's embassy, the countess of Lennox had warmly solicited this liberty for her fon. Elizabeth was no stranger to the ambitious hopes with which that young nobleman flattered himself. She had received repeated advices from her ministers of the fen1564.

y Keith, 304. 510.

\* Knox, 349.

\* Keith, 269.

timents

1565.

BOOK timents which Mary began to entertain in his favour b. It was entirely in her power to prevent his stirring out of Londen. In the prefent conjuncture, however, nothing could be of more advantage to her than Darnly's journey into Scotland. She had already brought one actor upon the stage, who, under her management, had, for a long time, amused the Scottish queen. She hoped, no less absolutely, to direct the motions of Darnly, who was likewise her subject; and again to involve Mary in all the tedious intricacies These motives determined Elizabeth and of negotiation. her ministers to yield to the folicitations of the countess of Lennox.

Darnly arrives in Scotland.

But this deep-laid scheme was in a moment disconcerted. Such unexpected events, as the fancy of poets ascribes to love, are at fometimes really produced by that passion. affair which had been the object of fo many political intrigues, and had moved and interested so many princes, was at last decided by the fudden liking of two young persons. Lord Darnly was at this time in the first bloom and vigour of youth. In beauty and gracefulness of person he surpassed all his cotemporaries; he excelled eminently in fuch arts as add ease and elegance to external form, and which enabled it not only to dazzle but to pleafe. Mary was of an age, and of a temper, to feel the full power of these accomplishments. The impression which lord Darnly made upon her was visible from the time of their first interview. The whole bufiness of the court was to amuse and entertain this illustrious guest c; and in all these scenes of gaiety, Darnly, whose qualifications were altogether superficial and showy, appeared to great advantage. His conquest of the queen's heart became complete; and inclination now prompted her to conclude a marriage, the first thoughts of which had been fuggested by considerations merely political.

ELIZABETH contributed, and perhaps not without defign, to increase the violence of this passion. Soon after Darnly's arrival in Scotland, she, in return to that message whereby Mary had fignified her willingness to accept of Leicester, gave an answer, in such tems as plainly unravelled her original intention in that intrigue d. She promifed, if the Scottish queen's marriage with Leicester should take place, to advance him to great honours; but with regard to Mary's title to the English succession, she would neither suffer any legal inquiry to be made concerning it, nor permit it to be publicly recognifed, until the herfelf thould declare her refo-

lution

d Keith, 270. App. 158. \* Keith, 259. 261. 266. 'Knox, 369.

Gains the queen's heart. Feb. 13.

lution never to marry. Notwithstanding Elizabeth's former BOOK promises, Mary had reason to expect every thing contained in this reply; her high spirit, however, could not bear with patience such a cruel discovery of the contempt, the artifice, and mockery, with which, under the veil of friendship, she had been so long abused. She burst into tears of indignation, and expressed, with the utmost bitterness, her sense of that difingenuous craft which had been employed to deceive her e.

THE natural effect of this indignation was to add to the impetuofity with which she purfued her own scheme. Blinded by refentment as well as by love, the observed no defects in the man whom she had chosen; and began to take the necessary steps towards accomplishing her design, with all the impatience natural to those passions.

As Darnly was fo nearly related to the queen, the canon law made it necessary to obtain the popes dispensation before the celebration of the marriage. For this purpose she early

fet on foot a negotiation with the court of Rome f.

SHE was bufy, at the fame time, in procuring the con- The French fent of the French king and his mother. Having communi- court apcated her defign, and the motives which determined her prope of choice, to Castelnau the French ambassador, she employed him, as the most proper person, to bring his court to fall in with her views. Among other arguments to this purpofe, Castelnau mentioned Mary's attachment to Darnly, which he represented to be so violent and deep-rooted, that it was no longer in her own power to break off the match g. Nor were the French ministers backward in encouraging Mary's passion. Her pride would never stoop to an alliance with a subject of France. By this choice they were delivered from the apprehension of a match with any of the Austrian princes, as well as the danger of too close a union with Elizabeth; and as Darnly professed the Roman catholic religion, this fuited the bigotted schemes which that court adopted.

WHILE Mary was endeavouring to reconcile foreign courts Darnly difto a measure which she had so much at heart; Darnly and gusts severa his father, by their behaviour, were raising up enemies at of the home to obstruct it. Lennox had, during the former part of his life, discovered no great compass of abilities or political wifdom; and appears to have been a man of a weak understanding and violent passions. Darnly was not superior to his father in understanding, and all his passions were still

Keith, Append. 159. Camd. 396. E Casteln. 464.

the advantage of external form, when accompanied with no quality more valuable, is apt to inspire. Intoxicated with the queen's favour, he began already to affume the haughtiness of a king, and to put on that imperious air, which mainly instructed to a favorage and the talest he

jesty itself can scarce render tolerable.

Murray and his party, that Lennox had been invited into Scotland; and yet, no fooner did he acquire a firm footing in that kingdom, than he began to enter into fecret cabals with those noblemen who were known to be avowed enemies to Murray, and with regard to religion, to be either neutrals or favourites of popery k. Darnly, still more imprudent,

allowed some rash expressions concerning those favours which the queen's bounty had conferred upon Murray, to escape him 1.

Bur, above all these, the familiarity which Darnly cultivated with David Rizio, contributed to increase the suspicion and disgust of the nobles.

The rife of Rizio's favour.

THE low birth and indigent condition of this man placed him in a station in which he ought naturally to have remained unknown to posterity. But what fortune called him to act and to fuffer in Scotland, obliges history to descend from its dignity, and to record his adventures. He was the fon of a musician in Turin, and having accompanied the Piedmontese ambassador into Scotland, gained admission into the queen's family by his skill in music. As his dependant condition had taught him suppleness of spirit and infinuating manners, he quickly crept into the queen's favour, and her French fecretary happening to return at that time into his own country, was preferred by her to that office. He now began to make a figure in court, and to appear as a man of confequence. The whole train of fuitors and expectants, who have an extreme fagacity in discovering the paths which lead most directly to success, applied to him. His recommendations were observed to have great influence over the queen, and he grew to be confidered not only as a favourite, but as a minister. Nor was Rizio careful to abate that envy which always attends fuch an extraordinary and rapid change of fortune. He studied, on the contrary, to display the whole extent of his favour. He affected to talk often and familiarly with the queen in public. He equalled the greatest and most opulent subjects, in richness of dress, and in the number of his attendants. He discovered, in all his behaviour,

h Keith, 272, 273.

<sup>\*</sup> Keith, 272.

Knox, 367. Keith, 274.

viour, that affuming infolence, with which unmerited pro- B o o K sperity inspires an ignoble mind. It was with the utmost indignation that the nobles beheld the power; it was with the utmost difficulty that they tolerated the arrogance, of this unworthy minion. Even in the queen's presence they could not forbear treating him with marks of contempt. Nor was it his exorbitant power alone which exasperated the Scots. They confidered him, and not without reason, as a dangerous enemy to the protestant religion, and suspected that he held, for this purpose, a secret correspondence with the court of Rome ".

1565.

IT was Darnly's misfortune to fall under the management Darnly's of this man, who, by flattery and affiduity, eafily gained on connexion his vanity and unexperience. Rizio's whole influence on with him. the queen was employed in his behalf, and contributed, without doubt, towards establishing him more firmly in her affections a. But whatever benefit Darnly might reap from his patronage, it did not counterbalance the contempt, and even infamy, to which he was exposed, on account of his fa-

miliarity with fuch an upftart.

Though Darnly daily made progress in the queen's affections, the conducted herfelf, however, with fuch prudent reserve, as to impose on Randolph the English resident, a man otherwise shrewd and penetrating. It appears from his letters at this period, that he entertained not the least fufpicion of the intrigue which was carrying on; and gave his court repeated assurances, that the Scottish queen had no defign of marrying Darnly . In the midst of this security, Mary dispatched Maitland to fignify her intention to Elizabeth, and to folicit her confent to the marriage with Darnly. This embaffy was the first thing which opened the eyes of Randolph.

ELIZABETH affected the greatest surprise at this sudden April 18. resolution of the Scottish queen, but without reason. The Elizabeth train was laid by herfelf, and she had no cause to wonder declares a-when it took effect. She expressed at the same time her disap-probation of the match, in the strongest terms; and pre-marriage tended to foresee many dangers and inconveniencies arising with from it to both kingdoms. But this too was mere affects. from it, to both kingdoms. But this too was mere affecta-Mary had often and plainly declared her resolution to marry. It was impossible she could make any choice more moffensive. The danger of introducing a foreign interest into Britain, which Elizabeth had so justly dreaded, was entirely avoided. Darnly, though allied to both crowns, Vol. I. and

<sup>\*</sup> Buchan. 340. Melv. 107. \* Melv. 111. \* Keith, 273, and Append. 159.

1565.

BOOK and possessed of lands in both kingdoms, could be formidable to neither. It is evident from all these circumstances, that Elizabeth's apprehensions of danger could not possibly be ferious; and that in all her violent declarations against Darnly, there was much more of grimace than of reality b.

THERE were not wanting, however, political motives of fuch weight, as to induce that wife princess to put on the appearance of great displeasure. Mary, intimidated by this, might perhaps delay her marriage; which Elizabeth defired to obstruct with a weakness that little fuited the dignity of her mind and the elevation of her character. Besides, the tranquillity of her own kingdom was the great object of Elizabeth's policy; and by declaring her diffatisfaction with Mary's conduct, she hoped to alarm that party in Scotland, which was attached to the English interest, and to encourage fuch of the nobles as fecretly disapproved the match openly to oppose it. The feeds of discord would by this means be feattered through that kingdom. Intestine commotions might arife. Amidst these, Mary could form none of those dangerous schemes to which the union of her people might have prompted her. Elizabeth would become the umpire between the Scottish queen and her contending subjects; and England might look on with fecurity, while a ftorm, which the had raifed, wasted the only kingdom which could possibly disturb its peace.

May I.

Sends Throgmorton to ob-Aruet it.

In profecution of this scheme, she laid before her privy council the message from the Scottish queen, and consulted them with regard to the answer she should return. Their determination, it is easy to conceive, was perfectly conformable to her fecret views. They drew up a remonstrance against the intended match, full of the imaginary dangers with which that event threatened the kingdom q. Nor did the think it enough, to fignify her disapprobation of the measure, either by Maitland, Mary's ambassador, or by Randolph, her own resident in Scotland; in order to add more dignity to the farce which she chose to act, she appointed fir Nicholas Throgmorton her amballador extraordinary. She commanded him to declare, in the strongest terms, her diffatisfaction with the step which Mary proposed to take; and

P Even the historians of that age acknowledge, that the marriage of the Scottish queen with a subject was far from being disagreeable to Elizabeth. Know, 369, 373. Buchan. 339. Castelnau, who at that time was well acquainted with the intrigues of both the British courts, afferts, upon grounds of great probability, that the match was wholly Elizabeth's own work : Casteln. 462. and that she rejoiced at the accomplishment of it, appears from the letters of her own ambassadors. Keith, 280. 288. Keith, 274. See Append. No. X.

at the same time to produce the determination of the privy B o o K council, as an evidence that the fentiments of the nation were not different from her own. Not long after, the confined the countels of Lennox as a prisoner, first in her house, and then fent her to the Tower'.

#465.

INTELLIGENCE of all this reached Scotland before the arrival of the English ambassador. In the first transports of her indignation, Mary refolved no longer to keep any measures with Elizabeth; and fent orders to Maitland, who accompanied Throgmorton, to return instantly to the English court, and in her name to declare to Elizabeth, that after having been amufed to long to fo little purpole; after having been fooled, and imposed on so grossly by her artifices; the was now refolved to gratify her own inclination, and to alk no other confent, but that of her own fubjects, in the choice of an hufband. Maitland, with his usual fagacity, foresaw all the effects of fuch a rath and angry meffage, and ventured rather to incur the displeasure of his mistress, by disobeying her commands, than to be made the instrument of tearing afunder to violently the few remaining ties which still linked together the two queens s.

Mary herfelf foon became sensible of her error. She received the English ambassador with respect; justified her own conduct with decency; and though unalterable in her refolution, the affected a wonderful folicitude to reconcile Elizabeth to the measure; and even pretended, out of complaifance towards her, to put off the confummation of the matriage for fome months'. It is probable, however, that the want of the pope's dispensation, and the prospect of gaining the confent of her own subjects, were the real motives of this

This confent Mary laboured with the utmost industry to Murray's obtain. The earl of Murray was the person in the kingdom, aversion to whose concurrence was of the greatest importance; but the Darnly. had reason to fear that it would not be procured without extreme difficulty. From the time of Lennox's return into Scotland, Murray perceived that the queen's affections began gradually to be estranged from him. Darnly, Athol, Rizio, all the court favourites, combined against him. His ambitious spirit could not brook this diminution of his power, which his former fervices had so little merited. He retired into the country, and gave way to rivals, with whom he was unable to contend ". The return of the earl of Bothwell, his avowed enemy, who had been accused of a defign upon

<sup>!</sup> Ibid. 160. / Keith, 278. r Keith, Append. 161. " Keith, 272. 274. Append. 159.

.1565.

BOOK upon his life, who had refided for fome time in foreign countries, obliged him to attend to his own fafety. No intreaty of the queen could perfuade him to a reconcilement with that nobleman. He infifted on having him brought to a public trial, and prevailed, by his importunity, to have a day fixed for it. Bothwell durst not appear in opposition to a man, who came to the place of trial attended by five thoufand of his followers on horseback. He was once more constrained to leave the kingdom; but, by the queen's command, the fentence of outlawry, which is incurred by non-appearance, was not pronounced against him x.

May 8.

MARY, sensible, at the same time, of how much importance it was to gain a subject so powerful and so popular as the earl of Murray, invited him back to court, and received him with many demonstrations of respect and confidence. At last she defired him to set an example to her other subjects by fubscribing a paper, containing a formal approbation of her marriage with Darnly. Murray had many reasons to hesitate, and even to withhold his affent. Darnly had not only undermined his credit with the queen, but discovered, on every occasion, a rooted aversion to his person. By confenting to his elevation to the throne, he would give him fuch an accession of dignity and power, as no man willingly bestows on an enemy. The unhappy consequences which might follow upon a breach with England, were likewise of confiderable weight with Murray. He had always openly preferred a confederacy with England, before the ancient alliance with France. By his means, chiefly, this change in the system of national politics had been brought about. A league with England had been established; and he could not think of facrificing, to a rash and youthful passion, an alliance of fo much utility to the kingdom; and which he and the other nobles were bound, by every obligation, to maintain . Nor was the interest of religion forgotten on this occasion. Mary, though furrounded by protestant counfellors, had found means to hold a dangerous correspondence with foreign catholics. She had even courted the pope's protection, who had fent her a fubfidy of eight thousand crowns 2. Though Murray had hitherto endeavoured to bridle the zeal of the reformed clergy, and to fet the queen's conduct in the most favourable light, yet her obstinate adherence to her own religion could not fail of alarming him, and by her refolution to marry a papist, the hope of reclaiming her, by an union with a protestant, was

<sup>\*</sup> Keith, Append. 160. y Keith, 169. 2 Ibid. 295. Melv. 114.

for ever cut off . Each of these considerations had its in- BOOK fluence on Murray, and all of them determined him to de- 111. cline complying at that time with the queen's request.

THE Convention of nobles, which was affembled a few 1565. days after, discovered a greater disposition to gratify the May 14queen. Many of them, without helitation, expressed their A conven-approbation of the intended match; but as others were nobles apstartled at the same dangers which had alarmed Murray, or proves of were influenced by his example to refuse their consent, the mar-another Convention was appointed at Perth, in order to de-

liberate more fully concerning this matter b.

MEANWHILE Mary gave a public evidence of her own inclination, by conferring upon Darnly titles of honour peculiar to the royal family. The opposition the had hitherto met with, and the many contrivances employed to thwart and disappoint her inclination, produced their usual effect on her heart, they confirmed her passion, and increased its violence. The simplicity of that age imputed an affection for excessive, to the influence of witchcraft c. It was owing, however, to no other charm, than the irrefitible power of youth and beauty over a young and tender heart. Darnly grew giddy with his prosperity. Flattered by the love of a queen, and the applause of many among her subjects, his natural haughtiness and insolence became insupportable, and he could no longer bear advice, far less contradiction. Lord Ruthven, happening to be the first person who informed him that Mary, in order to footh Elizabeth, had delayed for some time creating him duke of Albany, he in a frenzy of rage, drew his dagger, and attempted to stab him d. It required all Mary's attention, to prevent his falling under that contempt to which fuch behaviour defervedly exposed him,

In no scene of her life was ever Mary's own address more Mary's adremarkably displayed. Love sharpened her invention, and dress in made her study every method of gaining her subjects. subjects. Many of the nobles she won by her address, and more by her promises. On some she beltowed lands, to others she gave new titles of honour. She even condescended to court the protestant clergy; and having invited three of their superintendants to Stirling, she declared, in strong terms, her resolution to protect their religion, expressed her willingness to be present at a conference upon the points in doctrine which were disputed between the protestants and papifts, and went fo far as to shew some defire to hear such

<sup>\*</sup> Keith, App. 160. d Ibid. Append. 160.

Keith, 283. Knox, 373. c Keith, 283. e Keith, 283.

B o o K of their preachers as were most remarkable for their moderation . By these arts the queen gained wonderfully upon the people, who, unless their jealoufy be raifed by repeated 1565. injuries, are always ready to view the actions of their fovereign with an indulgent eye.

On the other hand, Murray and his affociates were plainly the dupes of Elizabeth's policy. She talked in fo high a strain of her displeasure at the intended match; she treated lady Lennox with fo much rigour; the wrote to the Scottish. queen in fuch ftrong terms; the recalled the earl of Lennox and his fon in fuch a peremptory manner, and with fuch fevere denunciations of her vengeance if they should prefume to disobey 8; that all these expressions of aversion fully perfuaded them of her fincerity. This belief fortified their feruples with respect to the match, and encouraged them to oppose it. They began with forming among themselves bonds of confederacy and mutual defence; they entered into a feeret correspondence with the English resident, in order to fecure Elizabeth's affiftance when it should become needful !; they endeavoured to fill the nation with fuch apprehensions of danger, as might counterbalance the influence of those

Schemes of Murray against each other.

arts which the queen had employed. Besides these intrigues, there were secretly carried on, Darnly and by both parties, dark defigns of a more criminal nature, and more fuited to the spirit of the age. Darnly, impatient of that opposition, which he imputed wholly to Murray, and refolving at any rate to get rid of fuch a powerful enemy, formed a plot to affaffinate him, during the meeting of the Convention at Perth. Murray, on his part, defpairing of preventing the marriage by any other means, had, together with the duke of Chatelherault, and the earl of Argyll, concerted measures for seizing Darnly, and carrying him a prifoner into England.

IF either of these conspiracies had taken effect, this Convention might have been attended with confequences extremely tragical; but both were rendered abortive, by the vigilance or good fortune of those against whom they were formed. Murray, being warned of his danger by fome retainers to the court, who still favoured his interest, avoided the blow by not going to Perth. Mary, receiving intelligence of Murray's enterprise, retired with the utmost expedition, along with Darnly, to the other fide of Forth. Confcious, on both fides, of guilt, and inflamed with refentment, it was impossible they could either forgot the violence which themselves had meditated, or forgive the in-

f Knox, 373. E Keith, 285, 286. h Ibid. 289. 292. 298. juries intended against them. From that moment all hope BOOK of reconcilement was at an end, and their mutual enmity "III. burft out with every symptom of implacable hatred i. 1565.

The reality of these two opposite conspiracies has given occasion to many disputes and much contradiction. Some deny that any defign was formed against the life of Murray; others call in question the truth of the conspiracy against Darnly. There feem, however, to be plaulible reasons for believing that there is fome foundation for what has been afferted with regard to both; though the zeal and credulity of party-writers have added to each many exaggerated circumflances. The following arguments render it probable that fome violence was intended against Murray :

I. This is politively afferted by Buchanan, 341. a. The English resident writes to Cecil, that Murray was affuredly informed that a delign was formed of murdering him at Perth, and mentions various circumstances concerning the manner in which the crime was to be committed. If the whole had been a fiction of his own, or of Murray, it is impossible that he could have written in this frain to such a discerning minister. Keith, 287. 3. Murray himself constantly and publicly persisted in affirming that such a design was formed against his life. Keith, App. 108. He was required by the queen to transmit in writing an account of the conspiracy which he pretended had been formed against his life. This he did accordingly; but "when it was brought to her Majesty by her servants sent for that purpose, it appears be her highness and her council, that his purgation in that behalf was not so sufficient as the matter required." Keith, App. 109. He was therefore fummoned to appear within three days before the queen in Holyrood-house; and in order to encourage him to do so, a safe-condust was offered to him. Ibid. Though he had once consented to appear, he afterwards declined to do so. But whoever considers Murray's situation, and the character of those who directed Mary's councils at that time, will hardly deem it a decisive proof of his guilt, that he did not chuse to risk his person on fuch fecurity. 4. The furious passions of Darnly, the fierceness of his resentment, which scrupled at no violence, and the manners of the age, render the imputation of fuch a crime less improbable.

II. That Murray and his affociates had refolved to feize Darnly in his return from Perth, appears with still greater certainty; I. From the express testimony of Melvil, 112; although Buchanan, p. 341. and Knox, p. 377. affect, without reason, to represent this as an idle rumour. 2. The question was put to Randolph, Whether the governor of Berwick would receive Lennox and his fon, if they were delivered at that place? His answer was, "that they would not refuse their own, i. e. their own subjects, in whatsoever fort they came unto us, i. e. whether they returned to England voluntarily, as they had been required, or were brought thither by force." This plainly shews, that some such design was in hand, and Randolph did not discourage it by the anfwer which he gave. Keith. 290. 3. The precipitation with which the queen retired, and the reason she gave for this sudden flight, are mentioned by Randolph. Keith, 201. 4. A great part of the Scottish nobles, and among these the earls of Argyll and Rothes, who were themselves privy to the design, affert the reality of the conspiracy. Good. vol. ii. 358.

All these circumstances render the truth of both conspiracies probable. But

we may observe how far this proof, though drawn from public records, falls fhort, on both fides, of legal and formal evidence. Buchanan and Randolph, in their accounts of the conspiracy against Murray differ widely in almost every circumstance. The accounts of the attempt upon Darnly are not more consident. Melvil alleges, that the delign of the conspirators was to carry Darnly a prisoner into England; the propofal made to Randolph agrees with this. Randolph fays, that they intended to carry the queen to St. Andrew's, and Darnly to Castle Campbell. The lords, in their declaration, affirm the defign of the conspirators to have been to murder Darnly and his father, to confine the queen in Lochleven during life, and to usurp the government. To believe implicitly whatever during life, and to usurp the government.

BOOK

1565. Mary fummons her vaffals to take arms against Murray.

On Mary's return to Edinburgh, the fummoned her vaffals by proclamation, and folicited them by her letters, to repair thither in arms, for the protection of her person against her foreign and domestic enemies k. She was obeyed with all the promptness and alacrity with which subjects run to defend a mild and popular administration. This popularity, however, the owed in a great measure to Murray, who had directed her administration with great prudence. But the crime of opposting her marriage obliterated the memory of his former fervices; and Mary, impatient of contradiction, and apt to confider those who disputed her will, as enemies to her person, determined to let him feel the whole weight of her vengeance. For this purpose she summoned him to appear before her upon a fhort warning, to answer to fuch things as should be laid to his charge 1. At this very time Murray, and the lords who adhered to him, were affembled at Stirling, to deliberate what course they should hold in such a difficult conjuncture. But the current of popular favour ran fo strongly against them, and notwithstanding some fears and jealousies, there prevailed in the nation such a general disposition to gratify the queen in a matter which so nearly concerned her, that, without coming to any other conclusion, than to implore the queen of England's protection, they put an end to their ineffectual confultations, and returned every man to his own house.

Together with this discovery of the weakness of her enemies, the confluence of her subjects from all corners of the kingdom afforded Mary an agreeable proof of her own strength. While the queen was in this prosperous situation, she determined to bring to a period an affair which had so long engrossed her heart and occupied her attention. On the twenty-ninth of July, she married lord Darnly. The ceremony was performed in the queen's chapel, according to the rites of the Romish church; the pope's bull dispensing with their

Celebrates her marriage with Darnly.

they find in an ancient paper, is a folly to which, in every age, antiquaries are extremely prone. Ancient papers, however, often contain no more than the flanders of a party and the lie of the day. The declaration of the nobles referred to, is of this kind; it is plainly rancorous, and written in the very heat of faction. Many things afferted in it, are evidently false and exaggerated. Let Murray and his confederates be as ambitious as we can suppose, they must have had some pretences, and plausible ones too, before they could venture to imprison their sovereign for life, and to seize the reins of government; but, at that time, the queen's conduct had afforded no colourable excuse for proceeding to such extremities. It is likewise remarkable, that in all the proclamations against Murray, of which so many are published in Keith, Appendix 108, &c. neither the violent attempt upon Darnly nor that which he is alledged to have formed against the queen herself, are ever once mentioned.

\* Keith, 298.

1 Keith, Append. 108.

1565-

their marriage having been previously obtained m. She issued BOOK at the same time proclamations, conferring the title of king of Scots upon her husband, and commanding that henceforth all writs at law should run in the joint names of king and queen a. Nothing can be a stronger proof of the violence of Mary's love, or the weakness of her councils, than this last step. Whether she had any right to chuse a husband without confent of parliament, was, in that age, a matter of fome dispute o; that she had no right to confer upon him, by her private authority, the title and dignity of king, or by a fimple proclamation to raife her husband to be the master of her people, feems to be beyond all doubt. Francis II. indeed, bore the same title. It was not, however, the gift of the queen, but of the nation; and the confent of parliament was obtained, before he ventured to assume it. Darnly's condition, as a subject, rendered it still more necessary to have the concurrence of the supreme council in his favour. Such a violent and unprecedented stretch of prerogative, as the substituting a proclamation in place of an act of parliament, might have justly alarmed the nation. But at that time the queen possessed so entirely the considence of her fubjects, that, notwithstanding all the clamours of the malecontents, no fymptoms of general discontent appeared on that account.

Even amidst that scene of joy which always accompanies fuccessful love, Mary did not suffer the course of her vengeance against the malecontent nobles to be interrupted. Three days after the marriage, Murray was again summoned to court, under the severest penalties, and upon his nonappearance the rigour of justice took place, and he was declared an out-law P. At the same time the queen set at liberty lord Gordon, who, ever fince his father's infurrection in the year one thousand five hundred and fixty-two, had been detained a prisoner; she recalled the earl of Sutherland, who, on account of his concern in that conspiracy, had fled into Flanders; and the permitted Bothwell to return again into Scotland. The first and last of these were among the most powerful subjects in the kingdom, and all of them animated with implacable hatred to Murray, whom they deemed the enemy of their families and the author of their own fufferings. This common hatred became the foundation of the strictest union with the queen, and gained them an afcendant over all her councils. Murray himself considered this confederacy with his avowed enemies, as a more certain

<sup>\*</sup> Keith, 307.

a Anderson, i. 33. See Append. No. XI.

<sup>·</sup> Buchap. 341.

P Keith, 309, 310.

no o k indication than any measure she had yet taken, of her inex-

ry65.
Marches
against
Murray
and his affociates.

The malecontents had not yet openly taken up arms?. But the queen having ordered her subjects to march against them, they were driven to the last extremity. They found themselves unable to make head against the numerous forces which Mary had assembled; and sled into Argyleshire, in expectation of aid from Elizabeth, to whom they had secretly dispatched a messenger, in order to implore her immediate assistance.

Elizabeth interpofes in their fayour.

MEANWHILE, Elizabeth endeavoured to embarrals Mary. by a new declaration of difgust at her conduct. She blamed both her choice of Lord Darnly, and the precipitation with which the had concluded the marriage. She required Lennox and Darnly, whom she still called her subjects, to return into England; and at the fame time the warmly interceded in behalf of Murray, whose behaviour the represented to be not only innocent but laudable. This meffage, fo mortifying to the pride of the queen, and fo full of contempt for her husband, was rendered still more insupportable by the petulant and faucy demeanor of Tamworth, the person who delivered it's. Mary vindicated her own conduct with warmth, but with great strength of reason; and rejected the intercession in behalf of Murray, not without figns of refentment at Elizabeth's pretending to intermeddle in the internal government of her kingdom t.

SHE did not, on that account, intermit in the least the ardour with which the purfued Murray and his adherents. They now appeared openly in arms; and having received a small supply in money from Elizabeth, were endeavouring to raise their followers in the western counties. But Mary's vigilance hindered them from assembling in any considerable body. All her military operations at that time were concerted with wisdom, executed with vigour, and attended with success. In order to encourage her troops, she herself marched along with them, rode with loaded pistols, and endured

After their fruitless consultation in Stirling, the lords retired to their own houses. Keith, 304. Murray was still at St. Andrew's on July 22. Keith, 306. By the places of rendezvous, appointed for the inhabitants of the different counties, August 4, it appears that the queen's intention was to march into Fife, the county in which Murray, Rothes, Kirkaldi, and other chiefs of the male-contents resided. Keith, 310. Their flight into the west, Keith, 312, prevented this expedition, and the former rendezvous was altered. Keith, 310.

Keith, 312. Knox, 380. Camb. 398. Keith, Append. 99.
The most considerable persons who joined Murray, were, the duke of Chatelherault, the earls of Argyll, Glencairn, Rothes; lord Boyd and Ochiltree; the lairds of Grange, Cunninghamhead, Balcomie, Carmylie, Lawers, Bar, Dreghorn, Pittarrow, Comptroller, and the tutor of Pitcur. Knox, 382.

Knox, 380. Keith, Append, 164.

dured all the fatigues of war with admirable fortitude. Her BOOK alacrity inspired her forces with an invincible resolution, which, together with their superiority in number, deterred the male contents from facing them in the field; but having 1365. arefully passed the queen's army, they marched with great rapidity to Edinburgh, and endeavoured to rouse the inhabitants of that city to arms. The queen did not fuffer them August 31. to remain long unmolested; and on her approach, they were forced to abandon that place, and retire in confusion towards the western borders z.

As it was uncertain, for some time, what route they had They are taken, Mary employed that interval in providing for the fe- obliged to curity of the counties in the heart of the kingdom. She England. feized the places of strength which belonged to the rebels; and obliged the confiderable barons in those shires which she most suspected, to join in affociations for her defence? Having thus left all the country behind her in tranquillity, fhe, with an army, eighteen thousand strong, marched towards Dumfries, where the rebels then were. During their retreat, they had fent letters to the queen, from almost every place where they halted, full of fubmiffion, and containing various overtures towards an accommodation. But Mary, who determined not to let flip fuch a favourable opportunity of crushing the mutinous spirit of her subjects, rejected them with disdain. As she advanced, the malecontents retired... And, having received no effectual aid from Elizabeth, they Oc. 20. despaired of any other means of fafety, fled into England, and put themselves under the protection of the earl of Bedford, warden of the marches.

NOTHING, which Bedford's personal friendship for Mur- They meet ray could fupply, was wanting to render their retreat agree- with unexable. But Elizabeth herfelf treated them with extreme ne- pefted illglect. She had fully gained her end, and, by their means, from Elizahad excited such discord and jealouses among the Scots, as beth. would, in all probability, long distract and weaken Mary's eouncils. Her bufiness now was to fave appearances, and to justify herfelf to the ministers of France and Spain, who accused her of fomenting the troubles of Scotland by her intrigues. The expedient she contrived for her vindication ftrongly displays her own character, and the wretched condition of exiles, who are obliged to depend on a foreign prince. Murray and Hamilton, abbot of Kilwinning, being appointed by the other fugitives to wait on Elizabeth, inflead of meeting with that welcome reception which was due

<sup>\*</sup> Keith, Append. 315. \* Ibid. 113. \* See Append. No. XII. XIII.

BOOK III. 1565.

to men, who out of confidence in her promises, and in order. to forward her defigns, had hazarded their lives and fortunes, could not even obtain the favour of an audience, until they had meanly confented to acknowledge, in the prefence of the French and Spanish ambassadors, that Elizabeth had given them no encouragement to take arms. No fooner did they make this declaration, than the aftonished them with this reply: "You have declared the truth; I am far from fetting an example of rebellion to my own subjects, by countenancing those who rebel against their lawful prince. The treason, of which you have been guilty, is detestable; and as traitors I banish you from my presence "." Notwithstanding this scene of farce and of falsehood, so dishonourable to all the persons who acted a part in it, Elizabeth permitted the malecontents peaceably to refide in her dominions, supplied them secretly with money, and renewed her intercession with the Scottish queen in their favour d.

THE advantage she had gained over them did not fatisfy Mary; she resolved to follow the blow, and to prevent a party, which she dreaded, from ever recovering any footing in the nation. With this view she called a meeting of parliament; and in order that a sentence of forfeiture might be legally pronounced against the banished lords, she summoned

them, by public proclamation, to appear before it c.

THE duke of Chatelherault, on his humble application, obtained a feparate pardon; but not without difficulty, as the king violently opposed it. He was obliged, however, to leave the kingdom, and to refide for fome time in France f.

THE numerous forces which Mary brought into the field, the vigour with which she acted, and the length of time she kept them in arms, refemble the efforts of a prince with revenues much more confiderable than those which she posfessed. But armies were then levied and maintained by princes at fmall charge. The vaffal followed his fuperior, and the superior attended the monarch, at his own expence. Six hundred horsemen, however, and three companies of foot, besides her guards, received regular pay from the queen. This extraordinary charge, together with the difburfements occasioned by her marriage, exhausted a treasury which was far from being rich. In this exigency, many devices were fallen upon for raifing money. Fines were levied on the towns of St. Andrew's, Perth, and Dundee, which were suspected of favouring the malecontents. An unufual tax was imposed on the boroughs throughout the kingdom;

d Knox, 389. c Keith, 320. 4 Knox, 389. c Melv. 112.

Dec. I.

1565.

kingdom; and a great fum was demanded of the citizens of BOOK Edinburgh, by way of loan. This unprecedented exaction alarmed the citizens. They had recourse to delays, and ftarted difficulties in order to evade it. These Mary con-ftrued to be acts of avowed disobedience, and instantly committed several of them to prison. But this severity did not fubdue the undaunted spirit of liberty which prevailed among the inhabitants. The queen was obliged to mortgage to the city the superiority of the town of Leith, by which she obtained a confiderable fum of money 8. The thirds of ecclefiaftical benefices proved another fource whence the queen derived some supply. About this time we find the protestant clergy complaining more bitterly than ever of their poverty. The army, it is probable, exhausted a great part of that fund which was appropriated for their maintenance h.

THE affemblies of the church were not unconcerned spec- Church aftators of the commotions of this turbulent year. In the fairs. meeting held the twenty-fourth of June, previous to the queen's marriage, feveral of the malecontent nobles were present, and seem to have had great influence on its decisions. The high strain in which the assembly addressed the queen, can be imputed only to those fears and jealousies with regard to religion, which they endeavoured to infuse into the na-The affembly complained, with some bitterness, of the stop which had been put to the progress of the Reformation by the queen's arrival in Scotland; they required not only the total suppression of the popish worship thoughout the kingdom, but even in the queen's own chapel; and befides the legal establishment of the protestant religion, they demanded that Mary herfelf should publicly embrace it. queen, after fome deliberation, replied, that neither her conscience nor her interest would permit her to take such a The former would for ever reproach her for a change which proceeded from no inward conviction, the latter would fuffer by the offence which her apostacy must give to the king of France, and her other allies on the continent i

IT is remarkable, that the prosperous situation of the queen's affairs during this year, began to work some change in favour of her religion. The earls of Lennox, Athol, and Cassils, openly attended mass; she herself afforded the catholics a more avowed protection than formerly; and, by her permission, some of the ancient monks ventured to preach publicly to the people k.

BOOK

g Knox, 383. 386.

Knox, 374. 376.

h Maitl. Hift. of Edinburgh, 27.

k Ibid. 389, 390.

## BOOK IV.

1566.
Mary's deliberations concerning the exiled nobles.

S the day appointed for the meeting of parliament approached, Mary and her ministers were employed in deliberating concerning the course which it was most proper to hold with regard to the exiled nobles. Many motives prompted her to set no bounds to the rigour of justice. The malecontents had laboured to defeat a scheme, which her interest conspired with her passions in rendering dear to her; they were the leaders of a party, whose friendship she had been obliged to court, while she held their principles in abhorrence; and they were firmly attached to a rival, whom she had good reason both to fear and to hate.

But, on the other hand, feveral weighty confiderations might be urged. The noblemen, whose fate was in sufpense, were among the most powerful subjects in the kingdom, their wealth great, their connections extensive, and their adherents numerous. They were now at mercy, the objects of compassion, and suing for pardon with the most

humble fubmission.

In those circumstances, an act of clemency would exalt the queen's character, and appear no lefs fplendid among foreigners, than acceptable to her own fubjects. Mary herfelf, though highly incenfed, was not inexorable; but the king's rage was implacable and unrelenting. They were folicited in behalf of the fugitives from various quarters. Morton, Ruthven, Maitland, and all who had been members of the Congregation, were not forgetful of their ancient union with Murray and his fellow fufferers; nor neglectful of their fafety, which they deemed of great importance to the kingdom. Melvil, who at that time possessed the queen's confidence, seconded their folicitations. And Murray having stooped so low as to court Rizio, that favourite, who was defirous of fecuring his protection against the king, whose displeasure he had lately incurred, seconded the intercessions of his other friends with the whole of his influence2. The interpolition of fir Nicholas Throgmorton, who had lately been Elizabeth's ambaffador in Scotland, in behalf of the exiles, was of more weight than all their, and attended with more fuccefs. Throgmorton, out of enmity to Cecil, had embarked deeply in all the intrigues which were carried

on at the English court, in order to undermine the power BOOK and credit of that minister. He espoused, for this reason, the cause of the Scottish queen, towards whose title and pretensions the other was known to bear little favour; and ventured in the present critical juncture, to write a letter to Mary, containing the most falutary advices with regard to her conduct. He recommended the pardoning of the earl of Murray and his affociates, as a measure no less prudent than popular. " An action of this nature," fays he, "the pure effect of your majefty's generofity, will spread the fame of your lenity and moderation, and engage the English to look towards your accession to the throne, not only without prejudice, but with defire. By the fame means, a perfect harmony will be reftored among your own fubjects, who, if any rupture should happen with England, will serve you with that grateful zeal which your elemency cannot fail of inspiring b.

THESE prudent remonstrances of Throgmorton, to which She rehis reputation for wifdom, and known attachment to the folves to queen, added great authority, made a deep impression on with cleher spirit. Her courtiers cultivated this happy disposition, mency. and prevailed on her, notwithstanding the king's inslexible temper, to facrifice her own private refertment to the intercession of her subjects and the wishes of her friends. With this view, the parliament which had been called to meet on the fourth of February, was prorogued to the feventh of April a; and in the mean time fhe was bufy in confidering the manner and form in which the thould extend her favour

to the lords who were under difgrace.

Though Mary discovered on this occasion a mind na- Is diverted turally prone to humanity and capable of forgiving, the from this wanted firmness, however, to refift the influence which was by the folifatally employed to disappoint the effects of this amiable citation of disposition. About this time, and at no great distance from France, and each other, two envoys arrived from the French king. The her zeal for Popery. former was intrusted with matters of mere ceremony alone; February 3. he congratulated the queen on her marriage, and invested the king with the ensigns of the order of St. Michael. The instructions of the latter related to matters of more importance, and produced greater effects e.

An interview between Charles IX. and his fifter the queen of Spain had been often proposed; and after many obstacles arifing from the opposition of political interest, was at last appointed at Bayonne. Catherine of Medicis accompanied

c Ibid. 125, Melv. 119.

e Keith, 325. Append. 167.

d Good. vol. i. 224.

the scenes of public pomp and pleasure, which seemed to be the sole occupation of both courts, a scheme was formed, and measures concerted, for exterminating the Hugonots in France, the Protestants in the Low Countries, and for suppressing the Reformation throughout all Europe s. The active policy of pope Pius IV. and the zeal of the cardinal of Lorrain, confirmed and encouraged dispositions so suitable to the genius of the Romish religion, and so beneficial to their own order.

Ir was on account of this holy league which the fecond French envoy brought to Mary, conjuring her at the same time, in the name of the King of France and the cardinal of Lorrain, not to restore the leaders of the protestants in her kingdom to power and savour, at the very time when the catholic princes were combined to destroy that sect in all

the countries of Europe g.

POPERY is a species of false religion, remarkable for the ftrong possession it takes of the heart. Contrived by men of deep infight in the human character, and improved by the experience and observation of many successive ages; it arrived at last to a degree of perfection, which no former There is no power fystem of superstition had ever attained. in the understanding, and no passion in the heart, to which it does not prefent objects adapted to rouse and to interest them. Neither the love of pleafure which at that time prevailed in the court of France, nor the pursuits of ambition which occupied the court of Spain, had fecured them from the dominion of bigotry. Laymen and courtiers were agitated with that furious and unmerciful zeal which is commonly confidered as peculiar to ecclefiaftics; and kings and ministers thought themselves bound in conscience to extirpate the protestant doctrine. Mary herself was deeply tinctured with all the prejudices of popery; a passionate attachment to that superstition is visible in every part of her character, and runs through all the scenes of her life: she was devoted too with the utmost submission to the princes of Lorrain, her uncles; and had been accustomed from her infancy to listen to all their advices with a filial respect. The prospect of restoring the public exercise of her own religion, the pleafure of complying with her uncles, and the hopes of gratifying the French monarch, whom the prefent fituation of her affairs in England made it necessary to court, counterbalanced all the prudent confiderations which had formerly

formerly weighed with her. She instantly joined the con- BOOK federacy, which had been formed for the destruction of the protestants, and altered the whole plan of her conduct with 1566.

regard to Murray and his adherents h.

To this fatal resolution may be imputed all the subsequent calamities of Mary's life. Ever fince her return into Scotland, fortune may be faid to have been propitious to her, rather than adverse; and if her prosperity did not rise to any great height, it had, however, fuffered no confiderable interruption. A thick and fettled cloud of adverfity, with few gleams of hope, and none of real enjoyment, covers the

remainder of her days.

THE effects of the new system which Mary had adopted A parliawere foon visible. The time of the prorogation of parlia- ment called ment was shortened; and by a new proclamation the twelfth to attaint of March was fixed for its meeting 1. Mary resolved, without nobles; any further delay, to proceed to the attainder of the rebel lords, and at the same time determined to take some steps towards the re-establishment of the Romish religion in Scotland k. The Lords of the Articles were chosen, as usual. to prepare the business which was to come before the parliament. They were all persons in whom the queen could confide, and bent to promote her defigns. The ruin of Murray and his party feemed now inevitable, and the danger of the reformed church imminent, when an event unexpectedly happened which faved both. If we regard either the barbarity of that age, when fuch acts of violence were common, or the mean condition of the unhappy person who fuffered, the event is little remarkable; but if we reflect up- and preon the circumstances with which it was attended, or upon vented by the confequences which followed it, it appears extremely the confimemorable; and the rife and progress of it deserve to be Rizio. traced with great care.

Vol. I. DARNLY'S h See Append. No. XIV. i Keith, 326.

k It is not on the authority of Knox alone, that we charge the queen with the design of re-establishing the Roman catholic religion, or at least of exempting the professors of it from the rigour of those penal laws to which they were subjected. He indeed afferts that the altars, which should have been erected in the church of St. Giles, were already provided, 394. 1. Mary herfelf, in a letter to the archbishop of Glasgow, her ambassador in France, acknowledges, "that in that parliament file intended to have done fome good, with respect to restoring the old religion." Keith, 331. 2. The spiritual lords, i. e. the Popish ecclesiastics, had, by her authority, resumed their ancient place in that assembly. Ibid. 3. She had joined the confederacy at Bayonne. Keith, Append. 167. 4. She allowed mass to be celebrated in different parts of the kindler. ferent parts of the kingdom, ibid.; and declared that she would have mass free for all men that would hear it. Good. vol. i. 274. 5. Blackwood, who was furnished by the archbishop of Glasgow with materials for writing his Martyre de Marie, affirms that the queen intended to have procured, in this parliament, if not the re-establishment of the catholic religion, at least something for the ease of catholics. Jebb, vol. il. 204.

IV. 1566. Darnly lofes the queen's affection.

DARNLY's external accomplishments had excited that BOOK fudden and violent passion which raised him to the throne. But the qualities of his mind corresponded ill with the beauty of his person. Of a weak understanding, and without experience, conceited, at the fame time of his own abilities, and afcribing his extraordinary fuccefs entirely to his diftinguished merit. All the queen's favour made no impression on fuch a temper. All her gentleness could not bridle his imperious and ungovernable spirit. All her attention to place about him persons capable of directing his conduct, could not preferve him from rash and imprudent actions! Fond of all the amusements, and even prone to all the vices of youth, he became by degrees careless of her person, and a stranger to her company. To a woman, and a queen, fuch behaviour was intolerable. The lower she had stooped in order to raife him, his behaviour appeared the more ungenerous and criminal: and in proportion to the strength of her first affection, was the violence with which her disappointed passion now operated. A few months after the marriage their domestic quarrels began to be observed. The extravagance of Darnly's ambition gave rife to thefe. Instead of being fatisfied with a share in the administration of government, or with the title of king, which Mary, by an unprecedented stretch of power, had conferred on him, he demanded the Crown Matrimonial with the most insolent importunity m. Though Mary alleged that this gift was beyond her power, and that the authority of parliament must be interposed to bestow it, he wanted either understanding to comprehend, or temper to admit, so just a defence; and often renewed, and urged his request.

the cause of

Rizio, whom the king had at first taken into great confi-Rizio to be dence, did not humour him in these follies. By this he incurred Henry's displeasure; and as it was impossible for Mary to behave towards her husband with the same affection which distinguished the first and happy days of their union, he imputed this coldness, not to his own behaviour, which had so well merited it, but to the infinuations of Rizio. Mary's own conduct confirmed and strengthened these suspicions. She treated this stranger with a familiarity, and admitted him to a share in her considence, to which neither his first condition, nor the office she had lately beflowed on him, gave him any title. He was perpetually in

1 Good. vol. i 122.

m Keith, 329. Id. App. 165, 166. Knox, 404. The eagerness of the king to obtain the Crown Matrimonial is not surprising, when the extent of the powers which that title conveyed, as explained in the text and note p. 96, is taken into consideration.

her presence, intermeddled in every business, and, together BOOK with a few favourites, was the companion of all her private amusements. The haughty spirit of Darnly could not bear the intrusion of such an upstart; and impatient of any delay, and unrestrained by any scruple, he instantly resolved to get

1566.

rid of him by violence.

AT the fame time another defign, which took its rife from Rizio havery different motives, was carrying on against the life of ted by the Rizio. Morton, Ruthven, Lindfay, and Maitland, were the friends of the exiled contrivers of it. In all former commotions they had been nobles. strictly united with Murray, though in the late insurrection they had deferted him, for various reasons. Morton was nearly allied to the family of Angus, and, during the minority of the present earl, acted as chief of the name of Douglas. Ruthven was married to the king's aunt. Lindfay's wife was of the same blood. All these had warmly concurred with the queen in promoting a marriage which did fo much honour to the house of Douglas, and naturally expected, that, under a king of their own blood, the chief management of affairs would be committed to them. Maitland, with his usual fagacity, foresaw that Murray's opposition to the match would prove dangerous and ineffectual; but whoever ruled at court, he hoped, by his dexterity and talents, to render himself necessary and of importance. They were all equally disappointed in their expectations. The king's headstrong temper, rendered him incapable of advice. The queen could not help distrusting men who, had been so long and so intimately connected with Murray, and gave herself up entirely to fuch counfellors as complied with all her inclinations. The return of that nobleman and his followers was therefore the only event which could restore Morton, Maitland, and their affociates, to their former afcendant over the queen's councils. For this reason, nothing could be more mortifying to them, than the refolution which Mary had taken to treat the exiles with rigour. This they imputed to Rizio, who, after he had engaged to aid Murray with all his interest, was now the most active instrument in promoting the measures which were concerted for the ruin of that nobleman. This officious zeal completed the difgust which they had conceived against him, and inspired them with thoughts of vengeance, in no wife fuitable to juftice, to humanity, or to their own dignity. WHILE they were ruminating upon their scheme, the king They com-

communicated his resolution to be avenged of Rizio to lord bine in or-Ruthven, and implored his affiftance, and that of his friends, der to murtowards the execution of this defign. Nothing could be

BOOK more acceptable to them than this overture. They faw at once all the advantages they would reap, by the concurrence of fuch an affociate. Their own private revenge upon Rizio would pass, they hoped, for an act of obedience to the king; and they did not despair of obtaining the refloration of their banished friends, and security for the protestant religion, as

the price of their compliance with his will.

Bur as Henry was no less fickle than rash, they hesitated. for some time, and determined to advance no farther, without taking every possible precaution for their own safety. They did not, in the mean time, fuffer the king's refentment to abate. Morton, who was inferior to no man of that intriguing age in all the arts of infinuation and address, took the young prince under his management. He wrought upon his ruling paffion, ambition to obtain the Matrimonial Crown. He represented Rizio's credit with the queen to be the chief and only obstacle to his fuccess in that demand. This minion alone, he faid, possessed her considence; and out of complaifance to him, her subjects, her nobility, and even her husband, were excluded from any participation of her fecret councils. Under the appearance of a confidence merely political, he infinuated, and the king perhaps believed, that a familiarity of a quite different and very criminal nature might be concealed. Such various and complicated passions raged in the king's bosom with the utmost fury. He became more impatient than ever of any delay, and even threatened to ftrike the intended blow with his own hand. At last, preliminaries were fettled on both fides, and articles for their

Of all our historians, Buchanan alone avowedly accuses Mary of a criminal love for Rizzio, 340. 344. Knox flightly infinuates that fuch a fuspicion was entertained, 391. Melvil, in a conversation with the queen, intimates that he was afraid her familiarity with Rizio might be liable to mifconstruction, 110.' The king himself seems, both by Melvil's account, and by his exposfulation with the queen, which Ruthven mentions, to have given credit to these suspicions. Melv. 127. Keith, Append. 123, 124. That the king's suspicions were strong, is likewise evident from the paper published Append. No. XV. But in opposition to these suspicions, and they are nothing more, we may observe that Raulet, the queen's French secretary, was dismissed from her service, and Rizio advanced to that office in December, 1564. Keith, 268. It was in consequence of this preferment, that he acquired his great credit with the queen. Melvil 107. Darnly arrived in Scotland about two months after. Keith, 269. The queen immediately conceived for him a passion, which had all the symptoms of genuine and violent love. Rizio aided this passion, and promoted the marriage with all his interest; Melv. 111. During some months after the marriage, the queen's fondness for Darnly continued. She soon proved with child. From this enumeration of circumstances, it appears almost impossible that the queen, unless we suppose her to have been a woman utterly abandoned, could carry on any criminal intrigue with Rizio. But the silence of Randolph, the English resident, a man abundantly ready to mention and to aggravate Mary's faults, and who does not once infinuate that her confidence in Rizio concealed any thing criminal, is in itself a sufficient vindication of her innocence.

mutual security agreed upon. The king engaged to prevent BOOK the attainder of the banished lords, to consent to their return into Scotland, to obtain from them an ample remission of all their crimes, and to support, to the utmost of his power, the religion which was now established in the kingdom. On their parts, they undertook to procure the Crown Matrimonial for Henry, to secure his right of succession, if the queen should die before him, and to defend that right to the uttermost, against whatever person should presume to dispute it; and if either Rizio, or any other person should happen to be killed in profecuting the defign, the king promifed to acknowledge himself to be the author of the enterprise, and to protect those who were embarked in it o.

Nothing now remained but to concert the plan of ope- Perpetrate ration, to chuse the actors, and to assign them their parts in that crime perpetrating this detestable crime. Every circumstance here in the paints and characterises the manners and men of that age, lace. queen's paand fills us with horror at both. The place chosen for committing fuch a deed, was the queen's bedchamber. Though Mary was now in the fixth month of her pregnancy, and though Rizio might have been feized elsewhere without any difficulty, the king pitched upon this place, that he might enjoy the malicious pleafure of reproaching Rizio with his crimes before the queen's face. The earl of Morton, the lord high chancellor of the kingdom, undertook to direct an enterprise, carried on in defiance of all the laws of which he was bound to be the guardian. The lord Ruthyen, who had been confined to his bed for three months by a very dangerous diftemper, and who was still so feeble that he could hardly walk, or bear the weight of his own armour, was intrusted with the executive part; and while he himself needed to be supported by two men, he came abroad to commit a murder in the presence of his sovereign.

On the ninth of March, Morton entered the court of the palace with an hundred and fixty men; and without noise, or meeting with any refistance, seized all the gates. While the queen was at supper with the countess of Argyll, Rizio, and a few domestics, the king fuddenly entered the apartment by a private passage. At his back was Ruthven, clad in complete armour, and with that ghaftly and horrid look which long fickness had given him. Three or four of his most trufty accomplices followed him. Such an unufual appearance alarmed those who were present. Rizio instantly apprehended that he was the victim at whom the blow was

aimed;

BOOK aimed; and in the utmost consternation retired behind the queen, of whom he laid hold, hoping that the reverence due to her person might prove some protection to him. The conspirators had proceeded too far to be restrained by any consideration of that kind. Numbers of armed men rushed into the chamber. Ruthven drew his dagger, and with a furious mien and voice commanded Rizio to leave a place of which he was unworthy, and which he had occupied too long. Mary employed tears and entreaties, and threatenings to fave her favourite. But, notwithstanding all these, he was torn from her by violence, and before he could be dragged through the next apartment, the rage of his enemies put an end to his life, piercing his body with fifty-fix wounds P.

ATHOL, Huntly, Bothwell, and other confidents of the queen who had apartments in the palace, were alarmed at the uproar, and filled with the utmost terror on their own account; but either no violence was intended against them, or the conspirators durst not shed the noblest blood in the kingdom in the same illegal manner with which they had ventured to take the life of a stranger. Some of them were

dismissed, and others made their escape.

They confine the queen herfelf.

THE conspirators, in the mean time, kept possession of the palace, and guarded the queen with the utmost care. A proclamation was published by the king, prohibiting the parliament to meet on the day appointed; and measures were taken by him for preventing any tumult in the city q. Murray, Rothes, and their followers, being informed of every step taken against Rizio, arrived at Edinburgh next evening. Murray was graciously received both by the king and queen: by the former, on account of the articles which had been agreed upon between them; by the latter, because she hoped to prevail on him, by gentle treatment, not to take part with the murderers of Rizio. Their power she still felt and dreaded; and the infult which they had offered to her authority and even to her person, so far exceeded any crime she could impute to Murray, that in hopes of wreaking her vengeance on them, she became extremely willing to be reconciled to him. The obligations, however, which Murray lay under to men who had hazarded their lives on his account, engaged him to labour for their fafety. The queen, who scarce had the liberty of choice left, was perfuaded to admit Morton and Ruthven into her presence, and to grant them the promse of pardon in whatever terms they should deem necessary for their own fecurity.

THE

THE king, meanwhile, stood astonished at the boldness BOOK and fuccess of his own enterprise, and uncertain what course to hold. The queen observed his irresolution, and availed herself of it. She employed all her art to disengage him But she from his new affociates. His consciousness of the infult gains the which he had offered to so illustrious a benefactress, inspired king, and him with uncommon facility and complaifance. In spite of makes her all the warnings he received to diffrust the queen's artifices, she prevailed on him to difmiss the guards which the conspirators had placed on her person; and that same night he made his escape along with her, attended by three persons only, and retired to Dunbar. The scheme of their slight March 11. had been communicated to Huntly and Bothwell, and they were quickly joined by them and several other of the nobles. Bothwell's estate lay in that corner of the kingdom, and his followers crowded to their chief in fuch numbers, as foon enabled the queen to fet the power of the conspirators at defiance.

This fudden flight filled them with inexpressible conster- Is recon-They had obtained a promise of pardon; and it ciled to the now appeared from the queen's conduct, that nothing more exiled nowas intended by this promise than to amuse them, and to gain time. They ventured, however, to demand the accomplishment of it; but their messenger was detained a prifoner, and the queen advancing towards Edinburgh, at the head of eight thousand men, talked in the highest strain of resentment and revenge. She had the address, at the same time, to separate Murray and his affociates from the conspirators against Rizio. Sensible that the union of these parties would form a confederacy which might prove formidable to the crown, she expressed great willingness to receive the former into favour; towards the latter she declared herfelf inexorable. Murray and his followers were no less willing to accept a pardon on her terms. The conspirators March 19. against Rizio, deprived of every resource, and incapable of The conspirefistance fled precipitately to Newcastle, having thus changed gainst Rifituations with Murray and his party, who left that place a zio fly into few days before.

No man fo remarkable for wisdom, and even for cunning, as the earl of Morton, ever engaged in a more unfortunate enterprise. Deferted basely by the king, who now denied his knowledge of the conspiracy by public proclamations, and abandoned ungenerously by Murray and his party , he was obliged to fly from his native country, to refign the highest

BOOK highest office, and to part with one of the most opulent foriv. tunes, in the kingdom.

1366.

On her return to Edinburgh, Mary began to proceed against those concerned in the murder of Rizio, with the utmost rigour of law. But, in praise of her clemency, it must be observed, that only two persons, and these of no consi-

derable rank, suffered for this crime s.

In this conspiracy there is one circumstance which, though somewhat detached, deserves not to be forgotten. In the consederacy between the king and the conspirators, the real intention of which was affassination, the preserving of the reformed church is, nevertheless, one of the most considerable articles; and the same men who were preparing to violate one of the first duties of morality, affected the highest regard for religion. History relates these extravagances of the human mind, without pretending to justify, or even to account for them; and regulating her own opinions by the eternal and immutable laws of justice and of virtue, points out such inconsistencies, as features of the age which she describes, and records them for the instruction of ages to come.

An account of the frequency of affaffinations in that age.

As this is the fecond instance of deliberate affassination which has occurred, and as we shall hereafter meet with many other instances of the fame crime, the causes which gave rife to a practice fo fhocking to humanity deferve our particular attention. Refentment is, for obvious and wife reasons, one of the strongest passions in the human mind. The natural demand of this passion is, that the person who feels the injury should himself inslict the vengeance due on that account. The permitting this, however, would have been destructive to fociety; and punishment would have known no bounds, either in feverity or in duration. For this reason, in the very infancy of the social state, the fword was taken out of private hands, and committed to the magistrate. But at first, while laws aimed at restraining, they really strengthened the principle of revenge. The earlieft and most simple punishment for crimes was retaliation; the offender forfeited limb for limb, and life for life. payment of a compensation to the person injured, succeeded to the rigour of the former institution. In both these, the gratification of private revenge was the object of law; and he who fuffered the wrong was the only person who had a right to purfue, to exact, or to remit the punishment. While laws allowed fuch full fcope to the revenge of one party, the interests

himself to be unjustly accused, the person to whom a crime

1566.

terests of the other were not neglected. If the evidence of BOOK his guilt did not amount to a full proof, or if he reckoned was imputed had a right to challenge his adversary to fingle combat, and, on obtaining the victory, vindicated his own honour. In almost every considerable cause, whether civil or criminal, arms were appealed to, in defence, either of the innocence, or the property, of the parties. Justice had feldom occasion to use her balance; the sword alone decided every contest. The passion of revenge was nourished by all these means, and grew, by daily indulgence, to be incredibly strong. Mankind became habituated to blood, not only in times of war, but of peace; and from this, as well as other causes, contracted an amazing ferocity of temper and of manners. This ferocity, however, made it necessary to discourage the trial by combat; to abolish the payment of compensations in criminal cases; and to think of some milder method of terminating disputes concerning civil rights. The punishments for crimes became more severe, and the regulations concerning property more fixed; but the princes whose province it was to inslict the one, and to enforce the other, possessed little power. Great offenders despise their authority; smaller ones sheltered themselves under the jurisdiction of those from whose protection they expected impunity. The administration of justice was extremely feeble and dilatory. An attempt to punish the crimes of a chieftain, or even of his vaffals, often excited rebellions and civil wars. To nobles, haughtyand independent, among whom the causes of discord were many and unavoidable, who were quick in discerning an injury, and impatient to revenge it; who deemed it infamous to fubmit to an enemy, and cowardly to forgive him; who confidered the right of punishing those who had injured them, as a privilege of their order and a mark of independence; fuch low proceedings were extremely unfatisfactory. The blood of their adverfary was, in their opinion, the only thing which could wash away an affront; where that was not shed, their revenge was disappointed, their courage became fuspected, and a stain was left on their That vengeance, which the impotent hand of the magistrate could not inslict, their own could easily execute. Under governments fo feeble, men assumed, as in a state of nature, the right of judging, and redreffing their own wrongs; and thus affaffination, a crime of all others the most destructive to fociety, came not only to be allowed, but to be reckoned honourable.

THE history of Europe, during the fourteenth and fifteenth centuries, abounds with detestable instances of this crime.

BOOK crime. It prevailed chiefly amony the French and Scots, between whom there was a close intercourse at that time, and a furprifing refemblance in their national characters. In one thousand four hundred and seven, the only brother of the king of France was murdered publicly in the streets of Paris; and fo far was this horrible action from meeting with proper punishment, that an eminent lawyer was allowed to plead in defence of it before the peers of France, and avowedly to maintain the lawfulness of affaffination. In one thousand four hundred and seventeen, it required all the eloquence and authority of the famous Gerson, to prevail on the council of Constance to condemn this proposition, "That there are some cases in which affassination is a virtue more meritorious in a knight than in a fquire, and more meritorious in a king than in a knight t." The number of eminent persons who were murdered in France and Scotland, on account either of private, or political, or religious quarrels, during the fifteenth and fixteenth centuries, is almost incredible. Even after those causes, which first gave rise to this barbarous practice, were removed; after the jurifdiction of magistrates, and the authority of laws, were better established, and become more universal; after the progress of learning and philosophy had polished the manners, and humanized the minds of men, this crime continued in some degree. It was towards the close of the seventeenth century before it disappeared in France. The additional vigour, which the royal authority acquired by the accession of James VI. to the throne of England, seems to have put a ftop to it in Scotland.

THE influence, however, of any national custom both on the understanding and on the heart, and how far it may go towards perverting or extinguishing moral principles of the greatest importance, is remarkable. The authors of those ages have perfectly imbibed the sentiments of their cotemporaries, with regard to affaffination; and they, who had leifure to reflect and to judge, appear to be no more shocked at this crime, than the persons who committed it during the heat and impetuofity of passion. Buchanan describes the murder of cardinal Beatoun and of Rizio, without expressing those feelings which are natural to a man, or that indignation which became an historian ". Knox, whose mind was hercer and more unpolished, relates the death of Beatoun and of the duke of Guise, not only without censure, but

L'Enfant, Hist. Conc. de Const.

with

<sup>&</sup>quot; Buchan. 295. 345.

with the utmost exultation x. On the other hand the BOOK bishop of Ross mentions the affassination of the earl of Murray with-some degree of applause y. Blackwood dwells upon it with the most indecent triumph, and ascribes it directly to the hand of God 2. Lord Ruthven, the principal actor in the conspiracy against Rizio, wrote an account of it fome short time before his own death, and in all his long narrative there is not one expression of regret, or one symptom of compunction, for a crime no less dishonourable than barbarous a. Morton, equally guilty of the fame crime, entertained the fame fentiments concerning it; and in his last moments, neither he himself, nor the ministers who attended him, feem to have confidered it as an action which called for repentance; even then he talks of David's flaughter as coolly as if it had been an innocent or commendable deed b. The vices of another age aftonish and shock us; the vices of our own become familiar, the excite little horror c. I return from this digression to the course of the history.

THE charm, which had at first attached the queen to The Darnly, and held them for fome time in an happy union, queen's hatred to was now entirely diffolved; and love no longer covering his Darnly infollies and vices with its friendly veil, they appeared to creases. Mary in their full dimension and deformity d. Though Henry published a proclamation, disclaiming any knowledge of the conspiracy against Rizio, the queen was fully convinced, that he was not only accessary to the contrivance, but to the commission of that odious crime e. That very power which, with liberal and unfufpicious fondness, she had conferred upon him, he had employed to infult her authority, to limit her prerogative, and to endanger her person. Such an outrage it was impossible any woman could bear or forgive. Cold civilities, fecret distrust, frequent quarrels, fucceeded to their former transports of affection and confi-The queen's favours were no longer conveyed through his hands. The crowd of expectants ceafed to court

y Anders. 3. 84. x Knox, 334. 2 Jebb, 2. 263. Crawf. Mem. Append. \* Keith, Append. 119.

See Appendix, No. XVI. e Keith, 350.

<sup>&#</sup>x27;In the first accounts of Rizio's murder sent to England there seem to have been mingled (as is usual in relating extraordinary events) some circumstances, which afterwards appeared to be false: among others, that a friar, named Black, had been flain at the same time with Rizio. Parkhurst bishop of Norwich, in communicating this intelligence to his correspondent Bullinger, an eminent reformed divine of Zurich, expresses no condemnation of the murder of Rizio, and exults over the supposed death of the friar, in terms which, in our times, will appear as shocking as they are puerile: "Fraterculus quidam, nomine Black, Papistarum antesignanus, eodem tempore in aula occiditur: Sic niger hic nebulo, nigra quoque morte peremptus, invitus nigrum subito de-scendit in Orcum." Burn. Hist. of Reform. iii. App. 36c.

IV. 1566.

BOOK his patronage, which they found to avail so little. Among the nobles some dreaded his furious temper, others complained of his perfidioufness; and all of them despised the weakness of his understanding and the inconstancy of his The people themselves observed some parts of his conduct, which little fuited the dignity of a king. Addicted to drunkenness, beyond what the manners of that age could bear, and indulging irregular passions, which even the licentiousness of youth could not excuse, he, by his indecent behaviour, provoked the queen to the utmost; and the passions which it occasioned, often forced tears from her eyes, both in public and private f. Her aversion for him increased every day, and could be no longer concealed. He was often abfent from court, appeared there with little fplendour, and was trufted with no power. Avoided equally by those who endeavoured to please the queen, who favoured Morton and his affociates, or who adhered to the house of Hamilton; he was left almost alone in a neglected and unpitied solitude 8.

The rife of favour.

ABOUT this time a new favourite grew into great credit Bothwell's with the queen, and foon gained an afcendant over her heart, which encouraged his enterprifing genius to form defigns that proved fatal to himself, and the occasion of all Mary's fublequent misfortunes. This was James Hepburn, earl of Bothwell, the head of an ancient family, and, by his extensive possessions and numerous vassals, one of the most powerful noblemen in the kingdom. Even in that turbulent age, when fo many vast projects were laid open to an aspiring mind, and invited it to action, no man's ambition was more daring than Bothwell's, or had recourfe to bolder or more fingular expedients for obtaining power h. When almost every person of distinction in the kingdom, whether papist or protestant, had joined the Congregation in opposing the dangerous encroachments of the French upon the liberties of the nation, he, though an avowed protestant, adhered to the queen regent, and acted with vigour on her fide. The fuccess which attended the arms of the Congregation, having obliged him to retire into France, he was taken into the queen's fervice, and continued with her till the time of her re-

g Melv. 131, &c.

h The enterprising spirit of Bothwell was so conspicuous as to procure him several marks of distinction during his residence in France. Hardwicke's State Papers, i. 143. Throgmorton, the English ambassador at Paris, and one of the most fagacious ministers employed by Elizabeth, points him out as a person who was to be dreaded and observed. "The earl of Bothwell," fays he in a letter, Nov. 28, 1560. " is departed to return into Scotland, and hath made boast that he will do great things, and live in Scotland in despite of all men. He is a glorious, rash and hazardous young man; and therefore it were meet that his adverfaries should both have an eye to him, and also keep him short." Ibid. p. 149.

turn into Scotland . From that period, every step of his BOOK conduct towards Mary was remarkably dutiful; and amidft all the shiftings of faction we scarcely ever find him holding any course which could be offensive to her. When Murray's proceedings with regard to her marriage gave umbrage to the queen, the recalled Bothwell from that banishment into which she had with reluctance driven him, and confidered his zeal and abilities as the most powerful supports of her authority. When the conspirators against Rizio seized her person, he became the chief instrument of recovering her liberty, and ferved her on that occasion, with fo much fidelity, and fuccefs, as made the deepest impression on her mind, and greatly increased the confidence which she had hitherto placed in him k. Her gratitude loaded him with marks of her bounty; she raised him to offices of profit and of truft, and transacted no matter of importance without his advice 1. By complaifance and affiduity he confirmed and fortified these dispositions of the queen in his favour, and infensibly paved the way towards that vast project, which his immoderate ambition had perhaps already conceived, and which, in spite of many difficulties, and at the expence of many crimes, he at last accomplished.

THE hour of the queen's delivery now approached. As her palace was defended only by a flender guard, it feemed imprudent to expose her person, at this time, to the insults the might fuffer in a kingdom torn by factions and prone to mutiny. For this reason the privy council advised the queen to fix her refidence in the castle of Edinburgh, the strongest fortress in the kingdom, and the most proper place for the fecurity of her person m. In order to render this security more perfect, Mary laboured to extinguish the domestic feuds which divided fome of the principal nobles. Murray and Argyll were exasperated against Huntly and Bothwell, by reciprocal and repeated injuries. The queen, by her authority and entreaties, effected a reconcilement among them, and drew from them a promife to bury their discords in everlafting oblivion. This reconcilement Mary had fo much at heart, that she made it the condition on which she again received Murray into favour n.

On the nineteenth of June, Mary was delivered of her Birth of only fon James, a prince whose birth was happy for the James VI. whole island, and unfortunate to her alone. His accession to the throne of England united the two divided kingdoms

in one mighty monarchy, and established the power of

Great

i Anderf. i. 90. \* Ibid. 92, 93. m Keith, 335.

Melv. 133. Knox, 396.

a Ibid. 336. Append. 139.

IV. 1 566.

BOOK Great Britain on a firm foundation: while she, torn early from her fon by the cruelty of her fate, was never allowed to indulge those tender passions, nor to taste those joys which fill the heart of a mother.

> MELVIL was instantly dispatched to London with an account of this event. It struck Elizabeth, at first, in a fenfible manner; and the advantage and superiority which her rival had acquired by the birth of a fon, forced tears from her eyes. But before Melvil was admitted to audience, the had fo far recovered the command of herfelf, as to receive him not only with decency, but with excessive cheerfulness; and willingly accepted the invitation which Mary gave her, to stand godmother to her fon o.

> As Mary loved splendour and magnificence, she resolved to celebrate the baptism of the young prince with great pomp; and for that purpose sent invitations of the same kind to the French king, and to the duke of Savoy, the uncle of

her former husband.

The queen continues to treat Darnly . with indifference and neglect.

THE queen, on her recovery, discovered no change in her fentiments with respect to the king p. The death of Rizio, and the countenance he had given to an action fo infolent and unjustifiable, were still fresh in her memory. She was frequently pensive and dejected q. Though Henry sometimes attended court, and accompanied her in her progreffes through different parts of the kingdom, he met with little reverence from the nobles, while Mary treated him with the greatest referve, and did not fuffer him to possess any authority. The breach between them became every day more apparent's. Attempts were made towards a reconcilement, particularly by Castelnau the French ambassador; but after such a violent rupture, it was found no easy matter to bind the nuptial knot a-new; and though he prevailed on the king and queen to pass two nights together, we may, with great probability, pronounce this appearance of union, to which Castelnau trusted, not to have been fincere; we know with certainty that it was not lafting.

Herattachment to Bothwell increases.

BOTHWELL, all this while, was the queen's prime confi-Without his participation no business was concluded and no favour bestowed. Together with this ascendant over her councils, Bothwell, if we may believe the contemporary historians, acquired no less sway over her heart. But at what precise time this ambitious lord first allowed the sentiments of a lover to occupy the place of that duty and respect which a subject owes his sovereign; or when Mary, instead

<sup>·</sup> Melv. 138. P See Append. No. XVII. 9 Melv. 148. <sup>3</sup> Keith, 350. Melv. 132. s Keith, Append. 169. 1 Ibid. 169.

of gratitude for his faithful services, felt a passion of another BOOK nature rifing in her bosom, it is no easy matter to determine. Such delicate transitions of passion can be discerned only by those who are admitted near the persons of the parties, and 1566. who can view the fecret workings of the heart with calm and acute observation. Neither Knox nor Buchanan enjoyed these advantages. Their humble station allowed them only a distant access to the queen and her favourite. And the ardour of their zeal and the violence of their prejudices rendered their opinions rash, precipitate and inaccurate. It is by the effects of this reciprocal passion, rather than by their accounts of it, that subsequent historians can judge of its reality.

Adventurous as Bothwell's project to gain the queen may appear, it was formed and carried on under very favourable circumstances. Mary was young, gay, and affable. She possessed great sensibility of temper, and was capable of the utmost tenderness of affection. She had placed her love on a very unworthy object, who requited it with ingratitude, and treated her with neglect, with insolence, and with brutality. All these she felt and resented. In this situation, the attention and complaifance of a man who had vindicated her authority and protected her person, who entered into all her views, who foothed all her passions, who watched and improved every opportunity of infinuating his design and recommending his passion ", could hardly fail of making an impression on a heart of such a frame as Mary's.

THE haughty spirit of Darnly, nursed up in flattery, and The king accustomed to command, could not bear the contempt under resolves to which he had now fallen, and the state of infignificance to leave Scot-which he faw himself reduced. But in a country where he was univerfally hated or despised, he could never hope to form a party, which would fecond any attempt he might make to recover power. He addressed himself, therefore, to the pope, and to the kings of France and Spain, with many professions of his own zeal for the Catholic religion, and with bitter complaints against the queen, for neglecting to promote that interest \*: and soon after, he took a resolution, equally wild and desperate, of embarking on board a ship which he provided, and of flying into foreign parts. It is almost impossible to form any satisfactory conjecture concerning the motives which influence a capricious and irregular mind. He hoped, perhaps, to recommend himself to the Catholic princes on the continent by his zeal for religion

IV. 1566.

and that they would employ their interest towards reinstating him in the possession of that power which he had lost. Perhaps he expected nothing more than the comfort of hiding the disgrace under which he was now fallen, among strangers, who had never been witnesses of his former prosperity.

His capricious behaviour.

HE communicated the defign to the French ambaffador Le Croc and to his father the earl of Lennox. They both endeavoured to diffuade him from it, but without fuccess. Lennox, who feems as well as his fon, to have loft the queen's confidence, and who, about this time, was feldom at court, instantly communicated the matter to her by a letter. Henry, who had refused to accompany the queen from Stirling to Edinburgh, was likewise absent from court. He arrived there, however, on the fame day she received the account of his intended flight. But he was more than usually wayward and peevish; and scrupling to enter the palace unless certain lords who attended the queen were dismissed. Mary was obliged to meet him without the gates. At last he suffered her to conduct him into her own apartment. She endeavoured to draw from him the reasons of the strange resolution which he had taken, and to divert him from it. In spite however of all her arguments and intreaties he remained filent and inflexible. Next day, the privy council, by her direction, expostulated with him on the same head. He persisted, notwithstanding, in his fullenness and obstinacy; and neither deigned to explain the motives of his conduct, nor fignified any intention of altering it. As he left the apartment, he turned towards the queen, and told her that she should not fee his face again for a long time. A few days after, he wrote to Mary, and mentioned two things as grounds of his difgust. She herself, he said, no longer admitted him into any confidence, and had deprived him of all power; and the nobles, after her example, treated him with open neglect, fo that he appeared in every place without the dignity and fplendour of a king.

Mary endeavoursto prevent his intended flight. NOTHING could be more mortifying to Mary, than this intended flight of the king's, which would have fpread the infamy of their domestic quarrel all over Europe. Compassion for a monarch who would then appear to be forced into exile by her neglect and ill usage, might have disposed mankind to entertain fentiments concerning the causes of their discord, little to her advantage. In order, therefore, to preposses the minds of her allies, and to screen her reputation from any censure with which Darnly might endeavour to load it, the privy council transmitted a narrative of this whole transaction

both

both to the king and to the queen mother of France. It is BOOK drawn with great art, and fets Mary's conduct in the most

favourable point of light y.

ABOUT this time the license of the borderers called for redrefs; and Mary refolving to hold a court of justice at Jedburgh, the inhabitants of feveral adjacent counties were fummoned to attend their fovereign in arms, according to custom 2. Bothwell was at that time lieutenant or warden of all the marches, an office among the most important in the kingdom; and though usually divided into three distinct governments, bestowed by the queen's favour upon him alone. In order to display his own valour and activity in the discharge of this trust, he attempted to seize a gang of banditti, who, lurking among the marshes of Liddesdale, infested the rest of the country. But while he was laying hold upon October 16. one of those desperadoes, he was wounded by him in several places, so that his followers were obliged to carry him to Hermitage castle. Mary instantly slew thither, with an impatience which has been confidered as marking the anxiety of a lover, but little fuited the dignity of a queen a. Finding that Bothwell was threatened with no dangerous fymptom, the returned that fame day to Jedburgh. The fatigue of fuch a journey, added to the anguish of mind she had suffered on Bothwell's account, threw her next morning into a violent fever b. Her life was despaired of, but her youth, and the vigour of her constitution, resisted the malignity of her disease. During the continuance of the queen's illness, the king, who refided at Stirling, never came near Jed- Nov. 5. burghe; and when he afterwards thought fit to make his appearance there, he met with fuch a cold reception, as did not encourage him to make any long stay d. Mary foon recovered strength enough to return along the eastern borders to Dunbar.

WHILE the refided in this place, her attention was turned towards England. Elizabeth, notwithstanding her promise, Vol. I.

2 / Keith, 353. Good. vol. i. 302. y Keith, 345. 347.

4 Knox 400 Keith, 351, 352.

The distance between Jedburg's and Hermitage is eighteen Scottish miles, through a country almost impassable. The season of the year was far advanced. Bothwell Teems to have been wounded in a scuffle, occasioned by the despair of a fingle man, rather than any open insurrection of the borderers. It does not appear that the queen was attended there by any confiderable train. Had any military operation been neeeffary, as is supposed, Good. vol. i. 304, it would have been extremely improper to risque the queen's person in an expedition against thieves. As soon as the queen found Bothwell to be in no danger, the instantly returned, and after this we hear no more of the infurrection, nor have we any proof that the rioters took refuge in England. As there is no farther evidence with respect to the motives of this extraordinary journey, the reader must judge what degree of credit is due to Knox and Buchanan, who afcribe it to the queen's love of Bothwell.

Keith, 351, 352.

Lid. Append, 133.

BOOK and even proclamations to the contrary, not only allowed, but encouraged, Morton and his affociates to remain in England e. Mary, on the other hand, offered her protection to feveral English fugitives. Each queen watched the motions of the other with a jealous attention, and fecretly countenanced the practices which were carrying on to difturb the administration of her rival.

For this purpose Mary's ambassador, Robert Melvil, and her other emissaries, were extremely active and successful. We may impute, in a good degree, to their intrigues, that spirit which appeared in the parliament of England, and tensions to which raised a storm that threatened Elizabeth's domestic tranquillity more than any other event of her reign, and required all her art and dexterity to allay it.

ELIZABETH had now reigned eight years without discovering the least intention to marry. A violent distemper, with which she had lately been feized, having endangered her life, and alarmed the nation with the prospect of all those calamities which are occasioned by a disputed and dubious succession; a motion was made, and eagerly listened to in both houses, for addressing the queen to provide against any such danger in times to come, either by fignifying her own resolution to marry, or by confenting to an act, establishing the order of fuccession to the crown f. Her love to her subjects, her duty to the public, her concern for posterity, it was afferted, not only called upon, but obliged her to take one of these steps. The insuperable aversion which she had all along discovered for marriage, made it improbable that she would chuse the former; and if she complied with the latter request, no title to the crown could, with any colour of justice, be fet in opposition to that of the Scottish queen. Elizabeth was fagacious enough to fee the remotest consequences of this motion, and observed them with the greatest anxiety. Mary, by refusing so often to ratify the treaty of Edinburgh, had plainly intimated a defign of embracing the first promising opportunity for profecuting her right to the English crown; and by her fecret negociations, the had gained many to favour her title g. All the Roman catholics ardently wished for her fuccession. Her gentleness and humanity had removed many of those apprehensions which the protestants entertained on account of her religion. The court faction, which envied the power of Cecil, and endeavoured to wrest the administration out of his hands, advanced the pretentions of the Scottish queen in opposition to him. The union of the two kingdoms

The English parliament favours Mary's prethe fuccesfion.

> e Cald. vol. ii. p. 15. D'Ewes Journ. of Parl. 105. 8 Melv. 136.

doms was a defirable object to all wife men in both nations; BOOK and the birth of the young prince was a fecurity for the continuance of this bleffing, and gave hopes of its perpetuity.

UNDER these circumstances, and while the nation was in fuch a temper, a parliamentary declaration of Mary's title Elizabeth's would have been highly detrimental to Elizabeth. The pre- on that acfent unsettled state of the succession left much in her power. count. Her refentment alone might have gone far towards excluding any of the competitors from the crown; and the dread of this had hitherto restrained and overawed the ambition of the Scottish queen. But if this check should be removed by the legal acknowledgment of her title, Mary would be more at liberty to purfue her dangerous defigns, and to act without fear or referve. Her partifans were already meditating schemes for insurrections in different parts of the kingdom h; and an act of parliament, recognifing the rights of that prineefs, whose pretensions they favoured, would have been nothing less than a fignal to arms; and notwithstanding Elizabeth's just title to the affections of her subjects, might have shaken and endangered her throne.

WHILE this matter remained in suspense in both houses, Mary enan account of it was transmitted to Mary by Melvil her amdeavours to
bassador. As she did not want advocates for her right, even
this opporamong those who were near Elizabeth's person, she endea- tunity. voured to cultivate the disposition which appeared towards fettling the right of fuccession in her favour, by a letter to the privy counsellors of England. She expressed in it a grateful fense of Elizabeth's friendship, which she ascribes chiefly to their good offices with their fovereign in her behalf. She declared her refolution to live in perpetual amity with England, without urging or purfuing her claim upon the crown, any farther than should be agreeable to the queen. But, at the fame time, as her right of fuccession was undoubted, she hoped it would be examined with candour, and judged of with impartiality. The nobles who attended her, wrote to the English privy council in the same strain i. Mary artfully gave these letters the air of being nothing more than a declaration of her own and of her subjects gratitude towards Elizabeth. But as the could not be ignorant of the jealoufy and fear with which Elizabeth observed the proceedings of parliament, a step so uncommon as this, of one prince's entering into a public correspondence with the privy counsellors of another, could not be otherwise construed than as taken with an intention to encourage the spirit which had already been raised

IV. 1566.

BOOK raised among the English. In this light it seems to have appeared to Elizabeth herfelfk. But the disposition of her people rendering it necessary to treat Mary's person with great decency, and her title with much regard, she mentioned it to her only in the foftest language.

Elizabeth fooths and gains her parliament.

Nothing, however, could be a more cruel mortification to a princess of Elizabeth's character, than the temper which both houses of parliament discovered on this occasion. She bent all her policy to defeat and elude the motion. After allowing the first heat of their zeal to evaporate, she called into her presence a certain number of each house. She foothed and careffed them; the threatened and promifed; the remitted fubfidies which were due, and refused those which were offered; and in the end prevailed to have this formidable motion put off for that fession. Happily for her, the conduct of the Scottish queen, and the misfortunes which befel her, prevented the revival of fuch a motion in any future parliament 1.

MEANTIME, in order to preferve the reputation of impartiality, and that she might not drive Mary into any desperate measure, she committed to the tower one Thornton, who had published fomething derogatory to the right of the Scottish line "; and signified her displeasure against a member of the house of commons, who seemed, by some words in a

speech to glance at Mary n.

An extraordinary step of Mary's in favour of popery.

AMIDST all her other cares, Mary was ever folicitous to promote the interest of that religion which she professed. The re-establishment of the Romish doctrine seems to have been her favourite passion; and though the design was concealed with care and conducted with caution, she pursued it with a persevering zeal. At this time she ventured to lay aside somewhat of her usual referve; and the aid which she expected from the popish princes, who had engaged in the league of Bayonne, encouraged her to take a step, which, if we confider the temper of the nation, appears to be extremely Having formerly held a fecret correspondence with the court of Rome, she now resolved to allow a nuncio from the pope publicly to enter her dominions. Cardinal Laurea, at that time bishop of Mondovi, was the person on whom Pius V. conferred this office, and along with him he fent the queen a present of twenty thousand crowns o. It is not the character of the papal court to open its treasury upon distant or imaginary hopes. The business of the

k Ketth, 357. D'Ewes Journ. 104—130. Camd. 399. Melv. 119. Haynes, 446.

Camd. 401. 

Haynes, 449. 

Vita Card. Laur. ap. Burn · Vita Card. Laur. ap. Burn. vol. iii. p. 325.

nuncio in Scotland could be no other, than to attempt a re- B O O K conciliation of that kingdom to the Romish see. Thus

1566.

Mary herfelf understood it; and in her answer to a letter which she received from the pope, after expressing her grateful fense of his paternal care and liberality, she promises that the would bend her whole strength towards the re-establishment and propagation of the catholic faith; that she would receive the nuncio with every possible demonstration of respect, and concur, with the utmost vigour, in all his designs towards promoting the honour of God, and restoring peace to the kingdom; that she would celebrate the baptism of the prince according to the ceremonies which the Romish ritual prescribes, hoping that her subjects would be taught, by this example, again to reverence the facraments of the church, which they had fo long treated with contempt; and that she would be careful to instil early into her son the principles of a fincere love and attachment to the catholic faith p. But though the nuncio was already arrived at Paris, and had fent over one of his attendants with part of the money, the queen did not think the juncture proper for his reception. Elizabeth was preparing to fend a magnificent embaffy into Scotland, against the time of the prince's baptism, and as it would have been improper to offend her, the wifely contrived, under various pretences, to detain Laurea at Paris 4. The convulfions into which the kingdom was thrown foon after, made it impossible for him to pursue his journey any farther.

AT the very time that Mary was secretly carrying on these negociations for subverting the reformed church, she did not feruple publicly to employ her authority towards obtaining for its ministers a more certain and comfortable subsistence. During this year, she issued several proclamations and acts of council for that purpose, and readily approved of every scheme which was proposed for the more effectual payment of their stipends. This part of her conduct does little honour to Mary's integrity: and though justified by the example of princes, who often reckon falfehood and deceit among the necessary arts of government, and even authorised by the pernicious cafuistry of the Roman church, which transfers breach of faith to heretics from the lift of crimes to that of duties, fuch dissimulation, however, must be numbered among those blemishes which never stain a truly great and generous character.

<sup>4</sup> Keith, Append. 135. P Conzi Vita Mariz, ap. Jebb, vol. ii. p. 51. Keith, 561, 562. Knox, 401.

BOOK IV. 1566. December. Her aver-

king ex-

ceffive.

As neither the French nor Piedmontese ambassadors were yet arrived, the baptism of the prince was put off from time to time. Meanwhile, Mary fixed her refidence at Craigmillars. Such a retirement, perhaps, fuited the present temper of her mind, and induced her to prefer it before her fion for the own palace of Holy-rood-house. Her aversion for the king grew every day more confirmed, and was become altogether incurable. A deep melancholy fucceeded to that gaiety of spirit which was natural to her. The rashness and levity of her own choice, and the king's ingratitude and obstinacy, filled her with shame and with despair. A variety of passions preyed at once on a mind, all whose fensations were exquifite, and all its emotions strong, and often extorted from her the last wish of the unfortunate, that life

itself might come to an end t.

But as the earl of Bedford, and the count de Brienne, the English and French ambassadors, whom she had long expected, arrived about this time, Mary was obliged to suppress what passed in her bosom, and to set out for Stirling, in order to celebrate the baptism of her son. Bedford was attended by a numerous and splendid train, and brought prefents from Elizabeth, fuitable to her own dignity, and the respect with which she affected, at that time to treat the queen of Scots. Great preparations had been made by Mary, and the magnificence displayed by her on this occafion exceeded whatever had been formerly known in Scotland. The ceremony itself was performed according to the rites of the Romish church. But neither Bedford nor any of the Scottish nobles who professed the protestant religion, entered within the gates of the chapel ". The spirit of that age firm and uncomplying, would not, upon any inducement, condescend to witness an action which it deemed idolatrous.

Dec. 17.

The king's capricious behaviour at the bapprince.

HENRY's behaviour at this juncture, perfectly discovers the excess of his caprice, as well as of his folly. He chose to refide at Stirling, but confined himself to his own aparttism of the ment; and as the queen distrusted every nobleman who ventured to converfe with him, he was left in absolute solitude. Nothing could be more fingular, or was lefs expected, than his chusing to appear in a manner that both published the contempt under which he had fallen, and by exposing the queen's domestic unhappiness to the observation of so many foreigners, looked like a step taken on purpose to mortify and to offend her. Mary felt this infult fenfibly; and notwithstanding all her efforts to assume the gaiety which fuited the occasion, and which was necessary for the polite recep-

> t Keith, Pref. vii. " Keith, 360. 3 Keith, 355.

reception of her guests, she was sometimes obliged to retire, BOOK in order to be at liberty to indulge her forrow, and give vent to her tears x. The king still persisted in his design of retiring into foreign parts, and daily threatened to put it into execution y.

1566.

THE ceremony of witnessing the prince's baptism was not Elizabeth the fole bufiness of Bedford's embassy. His instructions endeavours contained an overture, which ought to have gone far towards modate her extinguishing those jealousies which had so long subsisted be- differences tween the two queens. The treaty of Edinburgh, which with Mary. has been fo often mentioned, was the principal occasion of thefe. The spirit, however, which had risen to such an height in the late parliament, the power of the party which favoured the Scottish queen's title, the number and activity of her agents in different parts of the kingdom, alarmed Elizabeth, and induced her to forego any advantage which the ambiguous and artful expressions in that treaty might afford her. Nothing was now demanded of Mary, but to renounce any title to the crown of England during Elizabeth's life and the lives of her posterity; who, on the other hand, engaged to take no step which might prove injurious to Mary's claim upon the fuccession 2.

Mary could not, with decency, reject a proposition fo equitable; she insisted, however, that Elizabeth should

x Keith, Pref. vii.

Camden affirms, 401, that Bedford was commanded by Elizabeth not to give Darnly the title of king. As this was an indignity not to be borne either by Mary or her husband, it hath been afferted to be the cause of the king's absence from the ceremony of his son's baptism. Keith, 360. Good. 319. But, 1. No such thing is to be found among Bedford's instructions, the original of which still remains. Keith, 356. 2. Bedford's advice to the queen by Melvil is utterly inconsistent with Camden's affertion Melv. Melvil's account is confirmed by Elizabeth's instructions to Sir Henry Norris, where the affirms that the commanded Bedford to employ his best offices towards reconciling Mary to her husband, which she had attempted to no purpose. Digges's Compl. Ambas. p. 13. A paper published, Append. No. XVIII. proves the same thing. 3. Le Croc the French resident mentions the king's absence, but without giving that reason for it, which has been founded on Camden's words, though if that had been the real one, it is hardly possible to conceive that he should have neglected to mention it. Le Croc's first letter is dated December 2, some time prior to the arrival of the earl of Bedford in Scotland; and when his instructions, either public or secret, could hardly be known. Le Croc plainly supposes that the discord between the king and queen was the cause of his absence from the baptism, and his account of this matter is that which I have followed. Keith, Pref. vii. 4. He informs his court, that on account of the difference betwixt the king and the queen, he had refused to hold any further correspondence with the former, though he appears, in many instances, to have been his great confident. Ibid. 5. As the king was not prefent at the baptism, he seems to have been excluded from any share in the ordinary administration of business. Two acts of privy council, one on the 20th, and the other on the 21st of December, are found in Keith, 562. They both run in the queen's name alone. king seems not to have been present. This could not be owing to Elizabeth's 2 Keith, 356. instructions to Bedford.

I566.

BOOK order the right upon which she claimed, to be legally examined and publicly recognifed, and particularly that the teftament of Henry VIII. whereby he had excluded the defcendants of his eldest fister the queen of Scotland, from the place due to them in the order of fuccession, might be produced, and confidered by the English nobility. Mary's ministers had credulously embraced an opinion, that this testament, which they so justly conceived to be injurious to their mistress, was a mere forgery; and on different occafions had urged Elizabeth to produce it. Mary would have fuffered confiderably by gaining this point. The original testament is still extant, and not the least doubt can be entertained of its genuineness and authenticity. But it was not Elizabeth's intention to weaken or to fet aside the title of the house of Stewart. She aimed at nothing more, than to keep the question concerning the succession perplexed and undecided, and by industriously eluding this request, she did real fervice to Mary's cause 4.

A FEW days after the baptism of the prince, Morton and all the other conspirators against Rizio obtained their pardon, and leave to return into Scotland. Mary, who had hitherto continued inexorable to every entreaty in their behalf, yielded at last to the solicitations of Bothwell b. He could hope for no fuccess in those bold designs on which his ambition refolved to venture, without drawing aid from every quarter. By procuring a favour for Morton and his affociates, of which they had good reason to despair, he expected to secure a

band of faithful and determined adherents.

THE king still remained at Stirling in folitude and under His impatience in this fituation, together with contempt. the alarm given him by the rumour of a defign to feize his person, and confine him to prison c, was the occasion of his leaving that place in an abrupt manner, and retiring to his

father at Glasgow.

June 25. Dec. 25. Church af-

Two affemblies of the church were held during this year. New complaints were made, and upon good grounds, of the poverty and contempt under which the protestant clergy were fuffered to languish. Penurious as the allotment for their sublistence was, they had not received the least part of what was due for the preceding year d. Nothing less than a zeal, ready to endure and to fuffer every thing for a good cause, could have persuaded men to adhere to a church so indigent

Rymer, xv. p. 110. Keith, 361. 358. Note (c). Murdin, 368. Good. vol. i. 140. Melv. 154. c Keith, Pref. viii. d Ibid. 362.

IV.

1566.

indigent and fo neglected. The extraordinary expences oc- B o o E casioned by the prince's baptism had exhausted the queen's treasury, and the sums appropriated for the sublistence of the clergy were diverted into other channels. The queen was therefore obliged to prevent the just remonstrances of the affembly, by falling on some new method for the relief of the church. Some symptoms of liberality, some stretch towards munificence, might have been expected in an affignment which was made with an intention of foothing and filencing the elergy. But both the queen and the nobles held fast the riches of the church which they had seized. A sum which, at the highest computation, can hardly be reckoned equal to nine thousand pounds sterling e, was deemed sufficient for the maintenance of a whole national church, by men who had lately feen fingle monasteries possessed of revenues far superior in value.

THE ecclefiaftics in that age bore the grievances which affected themselves alone with astonishing patience; but wherever the reformed religion was threatened, they were extremely apt to be alarmed, and to proclaim, in the loudest manner, their apprehensions of danger. A just occasion of this kind was given them, a short time before the meeting of the affembly. The usurped and oppressive jurisdiction of the spiritual courts had been abolished by the parliament in the year one thousand five hundred and fixty, and commisfaries were appointed to hear and determine the causes which formerly came under their cognizance f. Among the few acts of that parliament to which Mary had paid any regard, this was one. She had confirmed the authority of the commissaries, and had given them instructions for directing their proceedings g, which are still of great authority in that court. From the time of their first appointment, these judges had continued in the uninterrupted exercise of their function, when of a fudden the queen iffued a proclamation, restoring the archbishop of St. Andrew's to his ancient jurisdiction, and depriving the commissaries of all authority h.

A MOTIVE, which cannot be justified, rendered the queen not unwilling to venture upon this rash action. She had been contriving for some time how to re-establish the popish religion; and the restoring the ancient ecclesiastics to their former jurisdiction seemed to be a considerable step towards that end. The motive which prompted Bothwell, to whose influence over the queen this action must be chiefly

e Keith, 562, h Knox, 403.

f Ibid. 152.

BOOK imputed i, was still more criminal. His enterprising ambition had already formed that bold defign, which he foon after put in execution; and the use which we shall hereafter find him making of that authority which the popish ecclesiastics regained, discovers the reasons of his present in conduct. contributing to revive their power. The protestant clergy were not unconcerned spectators of an eventwhich threatened their religion with unavoidable destruction; but as they despaired of obtaining the proper remedy from the queen herfelf, they addressed a remonstrance to the whole body of the protestant nobility, full of that ardent zeal for religion, which the danger to which it was exposed at that time, feemed to require k. What effects this vehement exhortation might have produced, we have no opportunity of judging, the attention of the nation being quickly turned towards events of another and more tragical nature.

The king Glafgow. 1567.

IMMEDIATELY upon the king's leaving Stirling, and before falls fick at he could reach Glasgow, he was seized with a dangerous diftemper. The fymptoms which attended it were violent and unufual, and in that age it was commonly imputed to the effects of poison 1. It is impossible, amidit the contradictions of historians, to decide with certainty concerning its nature or its cause m. His life was in the utmost danger; but after languishing for some weeks, the vigour of his constitution surmounted the malignity of the disease.

Neglected by Mary.

Mary's neglect of the king on this occasion was equal to that with which he had treated her during her illness at Jedburgh. She no longer felt that warmth of conjugal affection which prompts to fympathy, and delights in all those tender offices

1 Melv. 154. Knox, 401. t Knox, 403. k Keith, 567.

<sup>&</sup>quot;Buchanan and Knox are positive that the king had been poisoned. They mention the black and putrid pestules which broke out all over his body. Buchanan adds, that Abernethy the king's physician plainly declared that poison was the cause of these symptoms, and that the queen refused to allow her own physician to attend him. Buch. 349. Knox, 401. 2. Blackwood, Causin, &c. Jebb, vol. ii. 59. 214. affert, that the simall-pox was the disease with which the king was seized. He is called a *Pockish man* in the queen's letter. Good. vol. ii. 15. The reason given by *French Poris* for lodging the king at the Kirk of Field, viz. lest the young prince should catch the infection if he staid in the palace, seems to favour this opinion. Anders. vol. ii. 193. Carte mentions it as a proof of Mary's tenderness to her husband, that though the never had the fmall-pox herfelf, the ventured to attend him, vol. iii. 446. This, if it had been true, would have afforded a good pretence for not visiting him fooner; but Mary had the small-pox in her infancy. Sadler's Letters, p. 330. An additional proof of this is produced from a poem of Adrian Turnebus, by the publisher of ancient Scottish poems, p. 308. 3. Bishop Lesley affirms, that the king's disease was the French pox. Keith, 364. Note (b). In that age, this disease was esteemed so contagious, that persons infected with it were removed without the walls of cities.

offices which footh and alleviate fickness and pain. At this BOOK juncture, she did not even put on the appearance of this paffion. Notwithstanding the king's danger, she amused herfelf with excursions to different parts of the country, and fuffered near a month to elapse before the visited him at Glafgow. By that time the violence of the distemper was over, and the king, though weak and languishing, was out of all

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THE breach between Mary and her husband was not occa- The breach fioned by any of those flight disgusts which interrupt the between domestic union, without dissolving it altogether. Almost them irreall passions which operate with greatest violence on a female mind, and drive it to the most dangerous extremes, concurred in raising and fomenting this unhappy quarrel. Ingratitude for the favours she had bestowed, contempt of her person, violations of the marriage-vow, encroachments on her power, conspiracies against her favourites, jealoufy, infolence, and obstinacy, were the injuries of which Mary had great reason to complain. She felt them with the utmost sensibility; and added to the anguish of disappointed love, they produced those symptoms of despair which we have already described. Her resentment against the king feems not to have abated from the time of his leaving Stirling. In a letter written with her own hand to her ambaffador in France, on the day before the fet out for Glafgow, no tokens of fudden reconcilement appear. On the contrary, the mentions, with fome bitterness, the king's ingratitude, the jealoufy with which he observed her actions, and the inclination he discovered to disturb her government, and at the fame time talks of all his attempts with the utmost fcorn p.

AFTER this discovery of Mary's sentiments, at the time of her departure from Edinburgh to Glasgow, a visit to the Visits the king, which had been neglected when his fituation rendered king at it most necessary, appears singular, and it could hardly be expected that any thing but marks of jealoufy and distrust should appear in such an interview. This, however, was far from being the case; she not only visited Henry, but by all her words and actions; endeavoured to express an uncommon affection for him: and though this made impression on the credulous spirit of her husband, no less flexible on some occasions than obstinate on others; yet, to those who are acquainted with the human heart, and who know how feldom and how flowly fuch wounds in domestic happiness are healed, this fudden transition will apppear with a very fuspicious

1567.

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BOOK suspicious air, and will be considered by them as the effect.

1567. Her diffi-

BUT it is not on suspicion alone, that Mary is charged with dissimulation in this part of her conduct. Two of her famous letters to Bothwell were written during her stay at Glafgow, and fully open this scene of iniquity. He had fo far succeeded in his ambitious and criminal defign, as to gain an absolute ascendant over the queen; and in a situation fuch as Mary's, merit not to conspicuous, services of far inferior importance, and address much less infinuating than Bothwell's, may be supposed to steal imperceptibly on a female heart and entirely to overcome it. Unhappily, among those in the higher ranks of life, scruples with regard to conjugal fidelity are, often, neither many nor ftrong: nor did the manners of that court in which Mary had been educated, contribute to increase or to fortify them. The amorous turn of Francis I. and Henry II. the wildness of the military character in that age, and the liberty of appearing in all companies, which began to be allowed to women, who had not yet acquired that delicacy of fentiment, and those polished manners, which alone can render this liberty innocent, had introduced, among the French, a licentiousness of morals that rose to an astonishing height. Such examples, which were familiar to Mary from her infancy, could hardly fail of diminishing that horror of vice which is natural to a The king's behaviour would render the first virtuous mind. approach of forbidden fentiments less shocking; refentment, and disappointed love, would be apt to represent whatever foothed her revenge, as justifiable on that account; and fo many concurring causes might, almost imperceptibly, kindle a new passion in her heart.

The mo-

But whatever opinion we may form with regard to the rife and progress of this passion, the letters themselves breathe all the ardour and tenderness of love. The affection which Mary there expresses for Bothwell, fully accounts for every fubsequent part of her conduct; which without admitting this circumstance, appears altogether mysterious, inconsistent, and inexplicable. That reconcilement with her husband, of which, if we allow it to be genuine, it is impossible to give any plaufible account, is discovered by the queen's own confellion to have been mere artifice and deceit. As her aversion for her husband, and the suspicious attention with which the observed his conduct, became universally known, her ears were officiously filled, as is usual in such cases, with groundless or aggravated accounts of his actions. By some the was told, that the king intended to feize the person of the prince

1567-

prince his fon, and in his name to usurp the government; by BOOK others she was affured that he resolved instantly to leave the kingdom; that a veffel was hired for this purpose, and lay in the river Clyde ready to receive him . The last was what Mary chiefly dreaded. Henry's retiring into a foreign country must have been highly dishonourable to the queen, and would have entirely disconcerted Bothwell's measures. While he refided at Glafgow at a diffance from her, and in that part of the kingdom where the interest of his family was greatest, he might with more facility accomplish his designs. In order, therefore, to prevent his executing any fuch wild scheme, it was necessary to bring him to some place where he would be more immediately under her own eye. For this purpose, she first employed all her art to regain his confidence, and then proposed to remove him to the neighbourhood of Edinburgh, under pretence that there he would have Prevails on easier access to the advice of physicians, and that she herself him to could attend him without being absent from her fon p. The come to Edinburgh. king was weak enough to fuffer himself to be perfuaded; and being still feeble, and incapable of bearing fatigue, was carried in a litter to Edinburgh.

THE place prepared for his reception was a house belonging to the provost of a collegiate church, called Kirk of Field. It flood almost upon the same spot where the house belonging to the principal of the university now stands. Such a fituation, on a rifing ground, and at that time in an open field, had all the advantages of healthful air to recommend it; but, on the other hand, the folitude of the place rendered it extremely proper for the commission of that crime, with a view to which it feems manifestly to have been

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MARY continued to attend the king with the most assidu- He is mutous care. She feldom was absent from him through the deredthere. day; she slept two nights in the chamber under his apartment. She heaped on him so many marks of tenderness and confidence, as in a great measure quieted those suspicions which had fo long diffurbed him. But while he was fondly indulging in dreams of the return of his former happiness, he flood on the very brink of destruction. On Sunday the ninth of February, about eleven at night, the queen left the Kirk of Field, in order to be present at a masque in the palace. At two next morning, the house in which the king lay was blown up with gunpowder. The noise and shock which this ludden explosion occasioned, alarmed the whole city. The inhabitants

. Keith, Pref. viii.

9 Good. vol. ii. 8.

inhabitants ran to the place whence it came. The dead BOOK body of the king, with that of the fervant who flept in the fame IV. room, were found lying in an adjacent garden without the city wall, untouched by fire, and with no bruife or mark of 1567.

His charac-

violence.

Such was the unhappy fate of Henry Stewart lord Darnly, in the twenty-first year of his age. The indulgence of fortune, and his own external accomplishments, without any other merit had raifed him to an height of dignity of which he was altogether unworthy. By his folly and ingratitude, he loft the heart of a woman who doated on him to diffrac. tion. His infolence and inconstancy alienated from him fuch of the nobles as had contributed most zealously towards his elevation. His levity and caprice exposed him to the fcorn of the people, who once revered him as the descendant of their ancient kings and heroes. Had he died a natural death, his end would have been unlamented, and his memory have been forgotten; but the cruel circumstances of his murder, and the shameful remissiness in neglecting to avenge it, have made his name to be remembered with regret, and have rendered him the object of pity, to which he had otherwise no title.

Bothwell and the queen fufpected of

EVERY one's imagination was at work to guess who had contrived and executed this execrable deed. The fuspicion fell, with almost a general confent, on Bothwell 4; and some the murder, reflections were thrown out, as if the queen herself were no stranger to the crime. Of Bothwell's guilt there remains the fullest evidence that the nature of the action will admit. The queen's known fentiments with regard to her husband, gave a great appearance of probability to the imputation with which she was loaded .

> Two days after the murder, a proclamation was issued by the queen, offering a confiderable reward to any person who should discover those who had been guilty of such a horrid and detestable crime s; and though Bothwell was now one of the greatest subjects in the kingdom, formidable on account of his own power, and protected by the queen's favour, it was impossible to suppress the sentiments and indignation of the people. Papers were affixed to the most public places of the city, accusing him of the murder, and naming his accomplices; pictures appeared to the fame purpose, and voices were heard in the middle of the night, charging him with that

<sup>9</sup> Melv. 155. Anderf. vol. ii. 156.

See Differtation concerning the murder of Henry Darnly, and the genu meness of Mary's letters to Bothwell, Appendix.
Anders. vol. i. 36.

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that barbarous action. But the authors of these rumours did B O O K not confine their accusations to Bothwell alone; they infinuated that the queen herfelf was accessary to the crime. This bold accufation, which so directly attacked Mary's reputation, drew the attention of her council; and by engaging them in an enquiry after the authors of these libels, diverted them from fearching for the murderers of the king ". It could fearce be expected that Mary herfelf would be extremely folicitous to discover those who had rid her of an husband, whom she had fo violently hated. It was Bothwell's interest, who had the supreme direction of this, as well as of all other affairs, to fliffe and suppress whatever evidence should be offered, and to cover, if possible, the whole transaction under the veil of darkness and of filence. Some inquiry, however, was made, and fome perfons called before the council; but the examination was conducted with the most indecent remissiness, and in fuch a manner as to let in no light upon that scene of

IT was not her own subjects alone who suspected Mary of having been accessary to this unnatural crime; nor did an opinion, fo dishonourable to her character, owe its rife and progress to the jealoufy and malice of her factious nobles. The report of the manner and circumstances of the king's murder spread quickly over all Europe, and, even in that age, which was accustomed to deeds of violence, it excited univerfal horror. As her unhappy breach with her husband had long been matter of public difcourse, the first conjectures which were formed with regard to his death, were extremely to her disadvantage. Her friends, at a loss what apology to offer for her conduct, called on her to profecute the murderers with the utmost diligence, and expected that the tigour of her proceedings would prove the best and fulleit

vindication of her innocence ?.

LENNOX at the fame time incited Mary to vengeance with Lennox acincessant importunity. This nobleman had shared in his son's cuses Bothdifgrace, and being treated by Mary with neglect, usually king's murresided at a distance from court. Roused, however, by an der. event no less shocking to the heart of a father, than fatal to all his schemes of ambition, he ventured to write to the Feb. 21. queen, and to offer his advice with respect to the most effectual method for discovering and convicting those who had fo cruelly deprived him of a fon, and her of a husband. He urged her to profecute those who were guilty with vigour,

IV. 1567-

Anderf. vol. ii. 156. \* Id. vol. iv. part ii. 167, 168.

<sup>&</sup>quot; Id. vol. i. 38. y Keith, Pref. ix.

IV. I567.

BOOK vigour, and to bring them to a speedy trial; he declared his own fuspicion of Bothwell, and of those who were named as his accomplices; he required that, out of regard to decency, and in order to encourage evidence to appear against them, the persons accused of such an atrocious crime should be committed to custody, or at least excluded from her court

MARY was then at Seaton, whither she had retired after

and presence z.

Mary continues to fayour him.

the burial of the king, whose body was deposited among the monarchs of Scotland, in a private but decent manner a. The former part of the earl's demand could not on any pretence be eluded; and it was refolved to bring Bothwell immediately to trial. But, instead of confining him to any prison, Mary admitted him into all her councils, and allowed a person, univerfally reputed the murderer of her husband, to enjoy all the fecurity, the dignity, and the power of a favourite b. The offices which Bothwell already poffeffed, gave him the command of all the fouth of Scotland. The castle of Edinburgh, however, was a place of fo much consequence that he wished earnestly to have it in his own power. The queen, in order to prevail on the earl of Mar to furrender it, March 19. confented to put the person of the young prince in his hands, and immediately bestowed the government of that important fortress upon Bothwell. So many steps in her conduct, inconfistent with all the rules of prudence and of decency, must be imputed to an excess either of folly or of love. Mary's known character fully vindicates her from the former; of the latter, many and striking proofs foon appeared.

Haftens on his trial.

No direct evidence had yet appeared against Bothwell; but as time might bring to light the circumstances of a crime in which fo many accomplices were concerned, it was of great importance to hurry over the trial, while nothing more than general fuspicions, and uncertain furmises, could be produced by his accusers. For this reason, in a meeting of privy council held on the twenty-eighth of March, the twelfth of April was appointed for the day of trial. Though the law allowed, and the manner in which criminal causes were carried on in that age required, a much longer interval, it appears from feveral circumstances that this short space was confiderably contracted, and that Lennox had only eleven days warning to prepare for accusing a person so far superior to himself both in power and in favour d. No man could be less

<sup>\*</sup> Reith, 369. Anderf. vol. i. 23.

b Anders. vol. i. 40, &c. Anders. vol. i. Pref. 64. Keith, 379. The act of privy council, appointing the day of Bothwell's trial, bears date March the 28th, which happened on a Thursday. Anders. vol i. 50. The

less in a condition to contend with an antagonist who was BOOK thus supported. Though Lenox's paternal estate had been restored to him when he was called into Scotland, it seems to have been confiderably impaired during his banishment. His vaffals, while he refided in England, had been accuftomed to some degree of independence, and he had not recovered that afcendant over them, which a feudal chief usually possessed. He had no reason to expect the concurrence of any of those factions into which the nobles were divided. During the short period of his son's prosperity, he had taken fuch steps as gave rife to an open breach with Murray and all his adherents. The partifans of the house of Hamilton were his hereditary and mortal enemies. Huntly was linked in the closest confederacy with Bothwell; and thus to the difgrace of the nation, Lennox stood alone in a cause where, both honour and humanity called fo loudly on his countrymen to fecond him.

IT is remarkable too, that Bothwell himfelf was prefent, and fat as a member in that meeting of privy council, which gave directions with regard to the time and manner of his trial; and he still enjoyed not only full liberty, but was received into the queen's presence with the same distinguished

familiarity as formerly c.

Northing could be a more cruel disappointment to the Lennox wishes and resentment of a father than such a premature craves a trial; every step towards which seemed to be taken by di-delay. rections from the person who was himself accused of the crime, and calculated on purpose to conceal rather than to detect his guilt. Lennox forefaw what would be the iffue of this mock inquiry, and with how little fafety to himfelf, or fuccess to his cause, he could venture to appear on the day prefixed. In his former letters, though under expressions the most respectful, some symptoms of his distrusting the queen may be discovered. He spoke out now in plain lan-VOL. I.

queen's warrant to the meffengers, impowering them to fummon Lennox to be present, is dated on the 29th. Anders. vol. ii. 97. He was summoned by proclamation at the cross of Edinburgh on the same day. Ibid. 100. He was fummoned at his dwelling-houses in Glasgow and Dumbarton the 30th of March, the 1st and 2d days of April. Ibid. 101. He was summoned at Perth, April 1st. Ibid 102. Though Lennox resided at that time forty miles from Einburgh, the citation might have been given him sooner. Such an unnecessary delay affords some cause for suspicion. It is true, Mary, in her letter, March 24th, invited Lennox to come to Edinburgh the enfuing week; this gave him warning some days sooner, that she intended to bring on the trial without delay. But the precise time could not be legally or certainly known to Lennox sooner than ten or twelve days before the day on

which he was required to appear. By the law and practice of Scotland, at that time parties were fummoned, in cases of treason, forty days previous to

e Anderf. vol. i. 50. 52.

1567-

IV. 1567.

BOOK guage. He complained of the injury done him, by hurrying on the trial with fuch illegal precipitation. He represented once more the indecency of allowing Bothwell not only to enjoy personal liberty, but to retain his former influence over her councils. He again required her, as she regarded her own honour, to give some evidence of her sincerity in profecuting the murder, by confining the person who was on good grounds suspected to be the author of it; and till that were done he fignified his own resolution not to be prefent at a trial, the manner and circumstances of which were fo irregular and unfatisfactory f.

Applies for this purpose to Elizabeth.

HE feems, however, to have expected little fuccess from this application to Mary; and therefore at the same time befought Elizabeth to interpose, in order to obtain such a delay as he demanded 8. Nothing can be a stronger proof how violently he suspected the one queen, than his submitting to implore the aid of the other, who had treated his fon with the utmost contempt, and himself and family with the greatest rigour. Elizabeth, who was never unwilling to interpose in the affairs of Scotland, wrote instantly to Mary, advised her to delay the trial for some time, and urged in fuch strong terms the same arguments which Lennox had used, as might have convinced her to what an unfavourable construction her conduct would be liable, if she persisted in her present method of proceeding h.

The trial proceeds.

NEITHER her intreaties, however, nor those of Lennox, could prevail to have the trial put off. On the day appointed Bothwell appeared, but with fuch a formidable retinue, that it would have been dangerous to condemn, and impossible to punish him. Besides a numerous body of his friends and vaffals affembled, according to custom, from different parts of the kingdom, he was attended by a band of hired foldiers, who marched with flying colours along the streets of Edinburgh . A court of justice was held with the accustomed formalities. An indictment was presented against Bothwell, and Lennox was called upon to make good his acculation. In his name appeared Robert Cunningham, one of his dependants. He excused his masters absence, on account of the shortness of the time, which prevented his affembling his friends and vaffals, without whose affiftance he could not with fafety venture to fet himself in opposition to fuch a powerful antagonist. For this reason, he defired the court to stop proceeding, and protested, that any sen-

i Anderf. vol. i. 135.

f Anders. vol. i. 52. 8 Good. vol. ii. 352.

h Anders. Pref. 60. See Appendix, No. XIX.

tence which should be passed at that time ought to be deemed BOOK illegal and void. Bothwell, on the other hand, infifted that the court should instantly proceed to trial. One of Lennox's own letters, in which he craved of the queen to profecute the murderers without delay, was produced. Cunningham's objections were over-ruled; and the jury, confifting of peers and barons of the first rank, found Bothwell not

IV. 1567-

guilty of the crime.

No person appeared as an accuser, not a fingle witness Bothwell is was examined, nor any evidence produced against him. The acquitted, jury, under these circumstances, could do nothing else but acquit him. Their verdict, however, was far from gratifying the wishes, or filencing the murmurs of the people. Every circumstance in the trial gave grounds for suspicion, and excited indignation; and the judgment pronounced, instead of being a proof of Bothwell's innocence, was esteemed an argument of his guilt. Pafquinades and libels were affixed to different places, expressing the sentiments of the public with the utmost virulence of language.

THE jury themselves seem to have been aware of the cenfure to which their proceedings would be exposed; and, at the fame time that they returned their verdict acquitting Bothwell, the earl of Caithness protested, in their name, that no crime should be imputed to them on that account, because no accuser had appeared, and no proof was brought of the indictment. He took notice likewise, that the ninth instead of the tenth of February was mentioned in the indictment, as the day on which the murder had been committed: a circumstance which discovers the extreme inaccuracy of those who prepared the indictment; and at a time when men were disposed, and not without reason, to be suspicious of every thing, this small matter contributed to confirm and to increase their suspicions k.

EVEN Bothwell himself did not rely on the judgment which he had obtained in his favour, as a full vindication of his innocence. Immediately after his acquittal, he, in compliance with a custom which was not then obsolete, published a writing, in which he offered to fight in single combat any gentleman of good fame who should presume to accuse him of being accessary to the murder of the king.

MARY, however continued to treat him as if he had been cleared by the most unexceptionable and satisfactory evidence. The afcendant he had gained over her heart, as well as over her councils, was more visible than ever; and Lennox, who could not expect that his own person could be fase in 2:

country

IV.

I567.
A parliament held,
April 14.

BOOK country where the murderer of his fon had been absolved, iv. without regard to justice; and loaded with honours, in contempt of decency; fled with precipitation towards England.

Two days after the trial a parliament was held, at the opening of which the queen diftinguished Bothwell, by appointing him to carry the sceptre before her m. Most of the acts passed in this affembly were calculated on purpose to strengthen his party, and to promote his defigns. He obtained the ratification of all the possessions and honours which the partiality of the queen had conferred upon him; and the act to that effect contained the strongest declarations of his faithful services to the crown in all times past. The surrender of the castle of Edinburgh by Mar was confirmed. The law of attainder against Huntly was repealed, and he and his adherents were restored to the estates and honours of their an-Several of those who had been on the jury which acquitted Bothwell, obtained ratifications of the grants made in their favour; and as pasquinades daily multiplied, a law paffed, whereby those into whose hands any paper of that kind fell were commanded instantly to destroy it; and if, through their neglect, it should be allowed to spread, they were subjected to a capital punishment, in the same manner as if they had been the original authors n.

Remarkable law in favour of the Reformation.

BUT the absolute dominion which Bothwell had acquired over Mary's mind appeared in the clearest manner, by an act in favour of the protestant religion, to which at this time she gave her affent. Mary's attachment to the Romish faith was uniform and superstitious; she had never laid aside the defign, nor loft the hopes, of restoring it. She had of late come under new engagements to that purpose, and in confequence of these had ventured upon some steps more public and vigorous than any she had formerly taken. But though none of these circumstances were unknown to Bothwell, there were powerful motives which prompted him at this juncture to conciliate the good-will of the protestants, by exerting himself in order to procure for them some additional fecurity in the exercise of their religion. That which they enjoyed at present was very precarious, being founded entirely on the royal proclamation issued soon after the arrival of the queen in Scotland, which in express terms was declared to be only a temporary regulation. From that period, neither the folicitations of the general affemblies of the church, nor the intreaties of her people, could extort from Mary any concession in favour of the protestant religion, on which the profeffors might rest with greater confidence. This, however, by

<sup>&</sup>lt;sup>1</sup> Keith, 378. Note (d). m Id. ibid. n Ibid. 380.

gd

1567.

the more powerful influence of Bothwell, they now obtained. BOOK An act was passed in this parliament, repealing all the laws, canon, civil, and municipal, adverse to the reformed religion, and exempting such as had embraced it from the penalties to which they might have been ful jected by these laws, either on account of their past conduct or present profession; declaring at the fame time that their persons, estates, honours, and benefices were taken under public protection against every court, civil or ecclefiastical, that might attempt to molest them on account of their religious sentiments. Thus the protestants, instead of holding their facred rights by no better tenure than a declaration of royal indulgence, which might be revoked at pleafure, obtained legal and parliamentary protection in the exercise of their religion. By prevailing on the queen to affent to this law, Bothwell feems to have flattered himself that he would acquire such merit both with the clergy and with the people, as might induce them to favour his ambitious schemes, and to connive at what he had done or might do, in order to accomplish them. The protestants accordingly, though this act was far from amounting to a legal establishment of the reformed faith, seemed to have confidered it as an additional fecurity of fuch importance, that it was published among the laws enacted in a parliament held towards the close of this year, under very different leaders °. EVERY

ol am indebted to the accuracy of Sir David Dalrymple, for pointing out (Remarks on the History of Scotland, ch. 9.) a considerable error into which I had fallen with respect to this act, by supposing it to be so favourable to the doctrine of the Reformation, that the parliament which met Dec. 15, could substitute nothing stronger or more explicit in its place, and thought it sufficient to ratify it word for word. This error I have now corrected; but after confidering the act with particular attention, though I am fatisfied that it neither established the reformed religion or the religion of the state, nor abolished popery, yet it granted fuch new and legal fecurity to the protestants, as was deemed in that age, an acquisition of great value. The framers of the law feem manifestly to have viewed it in that light; after reciting, "that the queen, since her arrival, had attempted nothing contrary to the state of religion which she found publicly and universally standing, on which account she was most worthy to be ferved, honoured, and obeyed, &c."—the act goes on, " that as she intends to continue the fame goodness and government in all times coming, the professors of the religion aforesaid may and shall have occasion to praise God for her happy and gracious government, &c. : and to the effect that the professors of the religion aforesaid may assure themselves to be in full surety thereof, and of their lands, lives, &c. and may with the better will jeopard and hazard their lives and goods in her highness's service, against all enemies to her, and to the commonweal of this realm, &c. therefore our fovereign, with the advice of the whole estates in parliament, &c." then follow the statuary clauses mentioned in the text. The intention of passing the act is apparent, and it is drawn with great art. This art is peculiarly manifest in the concluding clause. In her first proclamation the queen had declared, that it should continue in force only until the should take final order concerning religion with the advice of parliament. In this act the intention of taking further

BOOK IV. 1567. Bothwell prevails on the nobles to recommend him as an hufqueen.

April 19.

EVERY step taken by Bothwell had hitherto been attended with all the fuccess which his most fanguine wishes could expect. He had entirely gained the queen's heart; the murder of the king had excited no public commotion; he had been acquitted by his peers of any share in that crime; and their decision had been in some fort ratified in parliament. But in a kingdom where the regal authority was fo extremely limited, and the power of the nobles fo formidable, he durit band to the not venture on the last action, towards which all his ambitious projects tended, without their approbation. In order to fecure this, he, immediately after the diffolution of parliament, invited all the nobles who were present to an entertainment. Having filled the house with his friends and dependants, and furrounded it with armed men P, he opened to the company his intention of marrying the queen, whose confent, he told them, he had already obtained; and demanded their approbation of this match, which, he faid, was no less acceptable to their sovereign, than honourable to himfelf q. Huntly and Seaton, who were privy to all Bothwell's schemes, and promoted them with the utmost zeal; the popish ecclefiaftics, who were absolutely devoted to the queen, and ready to footh all her passions; instantly declared their fatisfaction with what he had proposed. The rest, who dreaded the exorbitant power which Bothwell had acquired, and obferved the queen's growing affection towards him in all her actions, were willing to make a merit of yielding to a meafure which they could neither oppose nor defeat. Some few were confounded and enraged. But in the end Bothwell, partly by promifes and flattery, partly by terror and force, prevailed on all who were prefent to subscribe a paper, which leaves

> order concerning religion is mentioned, probably with a view to pleafe the queen; but it is worded with fuch studied dexterity, that the protection granted by this law is no longer to be regarded as temporary, or depending upon the queen taking such final order. Parl. 1. K. Ja. VI. c. 31. In the same light of an important acquisition of security to the reformed religion, this act is represented by the privy council in a proclamation issued May 23, 1567. Keith, 571. Mary's principal adherents, in a paper subscribed by them, September 12, 1568, declare, that she, "by the advice of the three estates, had fatisfied the desire of the whole nobility in an act concerning all the points of religion passed in the parliament held April 1567." Goodal, ii. 357. The same is afferted to be the intention and effect of this act in another public paper in the year 1570. Haynes 621. From confidering all these particulars, one need not wonder that a law " anent cassing (as its title bears), annulling, and abrogating of all laws, acts, and constitutions, canone, civile, and municipal, with other constitutions, contrare to the religion now professit within the realme," confirmed by the royal assent of the queen, thould be published among the statutes securing the protestant religion. We find accordingly, in a very rare edition of the acts of parliament, imprintit at Edinburgh by Robert Lekprevik, printar to the king's majestie, 6 day of April 1568, the act of April 19 inferted among the acts of the Regent's parliament in December.

9 Good. vol. ii. 141.

4 Anderf. vol. i. 94.

leaves a deeper stain than any occurrence in that age on the BOOK honour and character of the nation.

1567.

THIS paper contained the strongest declarations of Bothwell's innocence, and the most ample acknowledgment of his good fervices to the kingdom. If any future accufation should be brought against him on account of the king's murder, the subscribers promised to stand by him as one man, and to hazard their lives and fortunes in his defence. They recommended him to the queen as the most proper person the could chuse for a husband; and if the should condescend to bestow on him that mark of her regard, they undertook to promote the marriage, and to join him with all their forces in opposing any person who endeavoured to obstruct it. Among the subscribers of this paper we find some who were the queen's chief confidents, others who were strangers to her councils, and obnoxious to her displeasure; some who faithfully adhered to her through all the vicifitudes of her fortune, and others who became the principal authors of her fufferings; some passionately attached to the Romish fuperstition, and others zealous advocates for the protestant faith s. No common interest can be supposed to have united men of fuch opposite principles and parties, in recommending to their fovereign a step so injurious to her honour, and fo fatal to her peace. This strange coalition was the effect of much artifice, and must be considered as the boldest and most masterly stroke of Bothwell's address. It is observable, that amidst all the altercations and mutual reproaches of the two parties which arose in the kingdom, this unworthy transaction is feldom mentioned. Confcious on both fides, that in this particular their conduct could ill bear examination, and would redound little to their fame, they always touch upon it unwillingly, and with a tender hand, feeming defirous that it should remain in darkness, or be buried in oblivion. But as so many persons who, both at that time and ever after, polfeffed the queen's favour fubscribed this paper, the suspicion becomes strong, that Bothwell's ambitious hopes were neither unknown to Mary nor disapproved by her '.

THESE

Anders. vol. i. 177. Keith, 382.

of all the different fystems with regard to this transaction, that of Camden seems to be the least accurate, and the worst founded. He supposes that Bothwell was hated by Murray, Morton, &c. who had been his associates in the murder of the king, and that they now wanted to ruin him. He assirms, at the same time, that the subscriptions to this paper were obtained by them out of fear that Bothwell might fink in his hopes, and betray the whole bloody secret, 404. But besides the absurdity of supposing that any man's enemies would contribute towards raising him to such high dignity, on the uncertain hopes of being able afterwards to deprive him of it; besides the impossibility

BOOK IV.

1567.

THESE suspicions are confirmed by the most direct proof, Melvil at that time enjoyed a confiderable share in her favour. He, as well as his brother, kept a fecret correspondence in England with those who favoured her pretensions to that crown. The rumour of her intended marriage with Bothwell having spread early in that kingdom. excited univerfal indignation; and Melvil received a letter from thence which represented, in the strongest terms, what would be the fatal effects of such an imprudent step. He put this letter into the queen's hands, and enforced it with the utmost warmth. She not only difregarded these remonstrances, but communicated the matter to Bothwell; and Melvil, in order to fave his life, was obliged to fly from court, whither he durft not return till the earl's rage began to abate". At the same time Elizabeth warned Mary of the danger and infamy to which she would expose herself by such an indecent choice; but an advice from her met with still less regardx.

THREE days after the rifing of parliament Mary went from Edinburgh to Stirling, in order to vifit the prince her fon, Bothwell

Bothwell carries the queen by force to Dunbar.

of accomplishing such a marriage, if it had been either unknown to the queen or disagreeable to her; we may observe that this supposition is destroyed by the direct testimony of the queen herself, who ascribes the consent of the nobles to Bothwell's artifices, who purchased it by giving them to understand that we were content therewith. Anders. vol. i. 94. 99. It would have been no small advantage to Mary, if she could have represented the consent of the nobles to have been their own voluntary deed. It is still more surprising to find Lesly ascribing this paper to Murray and his saction. Anders. vol. i. 26. The bishop himself was one of the persons who subscribed it, Keith, 383. The king's commissioners, at the conference held at York 1568, pretended that none of the nobles, except the earl of Huntly, would subscribe this paper till a warrant from the queen was produced, by which they were allowed to do so: this warrant they had in their custody, and exhibited. Anders. vol. iv. part 2. 5. This differs from Buchanan's account, who supposes that all the nobles present subscribed the paper on the 19th, and that next day they obtained the approbation of what they I ad done, by way of security to themselves, 355.

Melv. 156. According to Melvil, Lord Herries likewise remonstrated against the marriage, and conjured the queen, on his knees, to lay aside all thoughts of such a dishonourable alliance, 156. But it has been observed that Herries is one of the nobles who subscribed the bond, April 19. Keith, 383. 2. That he is one of the witnesses to the marriage articles between the queen and Bothwell, May 14. Good. vol. ii. 61. 3. That he sat in council with Bothwell, May 17. Keith, 386. But this remonstrance of Lord Herries against the marriage happened before those made by Melvil himself, 157. Melvil's remonstrance must have happened some time before the meeting of parliament; for after offending Bothwell he retired from court; he allowed his rage time to subside, and had again joined the queen, when she was seized April 24. 158. The time which must have elapsed, by this account of the matter, was perhaps sufficient to have gained Herries from being an opposer to become a promoter of the marriage. Perhaps Melvil may have committed some mistake with regard to this fast, so far as relates to lord Herries. He could not well be mistaken with regard to what himself did.

Anders. vol. i. 106.

IV.

1567.

Bothwell had now brought his schemes to full maturity, Book and every precaution being taken which could render it fafe to enter on the last and decifive step, the natural impetuofity of his spirit did not suffer him to deliberate any longer. Under pretence of an expedition against the freebooters on the borders, he affembled his followers; and marching out of Edinburgh with a thousand horse, turned suddenly to- April 24. wards Linlithgow, met the queen on her return near that place, dispersed her slender train without refistance, seized on her person, and conducted her, together with a few of her courtiers, as a prisoner to his castle of Dunbar. She expressed neither surprise, nor terror, nor indignation, at fuch an outrage committed on her person, and such an infult offered to her authority, but feemed to yield without struggle or regret y. Melvil was at that time one of her attendants; and the officer by whom he was feized informed him, that nothing was done without the queen's own confent 2. If we may rely on the letters published in Mary's name, the scheme had been communicated to her, and every step towards it was taken with her participation and advice 2.

BOTH the queen and Bothwell thought it of advantage to employ this appearance of violence. It afforded her a decent excuse for her conduct; and while she could plead that it was owing to force rather than choice, she hoped that her reputation, among foreigners at least, would escape without censure, or be exposed to less reproach. Bothwell could not help distrusting all the methods which had hitherto been used for vindicating him from any concern in the murder of the king. Something was still wanting for his fecurity, and for quieting his guilty fears. This was a pardon under the great feal. By the laws of Scotland the most heinous crime must be mentioned by name in a pardon, and then all lesser offences are deemed to be included under the general clause, and all other crimes whatfoever b. To feize the person of the prince is high treason; and Bothwell hoped that a pardon obtained for this would extend to every thing of which he had been accused c.

BOTHWELL having now got the queen's person into his is divorced hands, it would have been unbecoming either a politician or from his a man of gallantry to have delayed confummating his own wife. schemes. The first step towards this was to have this marriage with lady Jane Gordon, the earl of Huntly's fifter, dissolved. In order to accomplish that, in a manner con-

y Keith, 383.

<sup>2</sup> Good. vol. ii. 37.

Anders. vol. iv. part ii. 61.

<sup>2</sup> Melv. 158.

Parl. 6 Jac. IV. c. 62.

BOOK fiftent with the ideas of the queen on one hand, and with the fentiments of his countrymen on the other, two different processes became necessary: one founded on the maxims of the canon law, the other accommodated to the tenets of the reformed church. Bothwell accordingly commenced a fuit, in his own name, in the spiritual court of the archbishop of St. Andrew's the jurifdiction of which the queen had reflored, by a special commission granted for this purpose, and pleaded, that lady Jane and himself being cousins within the prohibited degrees, and having married without a papal difpensation, their union was null from the beginning 4. At the fame time he prevailed with lady Jane to apply to the protestant court of commissaries for a divorce, on account of his having been guilty of adultery. The influence of Bothwell was of equal weight in both courts. In the courfe of four days, with the same indecent and suspicious precipitancy, the one declared the marriage to be illegal and null, the other pronounced a fentence of divorce e.

WHILE this infamous transaction was carrying on the queen refided at Dunbar; detained as a prisoner, but treated with the greatest respect. Soon after Bothwell, with a numerous train of his dependants, conducted her to Edinburgh: but, instead of lodging her in the palace of Holyrood-house, he conveyed her to the castle, of which he was governor. The discontent of the nation rendered this precaution neceffary. In an house unfortified, and of easy access, the queen might have been rescued without difficulty out of his hands. In a place of strength she was secured from all the

attempts of his enemies.

ONE fmall difficulty still remained to be furmounted. As the queen was kept in a fort of captivity by Bothwell, a marriage concluded in that condition might be imputed to force, and be held invalid. In order to obviate this, Mary

In her own time, it was urged as an aggravation of the queen's guilt, that the gave her confent to marry the hulband of another woman; and the charge has been often repeated fince. But according to Mary's own ideas, confonant to the principles of her religion, the marriage of Bothwell with lady Jane Gordon was unlawful and void, and she considered them as living together not in the hallowed bonds of matrimony, but in a state of criminal intercourse. Bothwell's addresses, which struck her protestant subjects not only as indecent but flagitious, could not appear in the same light to her; and this may be pleaded in extenuation of the crime imputed to her of having liftened to them. But it will not exempt her from the charge of great imprudence in this unfortunate step. Mary was well acquainted with the ideas of her subjects, and knew what they would think of her giving ear for a moment to the courtship of a man lately married under her own eye, in the church of her palace. Appendix, No. XX. Every confideration should have restrained her from forming this union, which to her people must have appeared odious and shocking, Remarks on the History of Scotland, p. 199, &c. Anderf. i. 132. Append. No. XX.

appeared in the court of fession, and, in presence of the BOOK chancellor and other judges, and feveral of the nobility, declared that the was now at full liberty; and though Bothwell's violence in feizing her person had at first excited her indignation, yet his respectful behaviour since that time had not only appealed her refentment, but determined her to raife

him to higher honours f.

WHAT these were soon became public. The title of duke Is married of Orkney was conferred upon Bothwell; and on the fif- to the teenth of May his marriage with the queen, which had so queen. long been the object of his wishes, and the motive of his crimes, was folemnized. The ceremony was performed in public, according to the rites of the protestant church, by Adam Bothwell, bishop of Orkney, one of the few prelates who had embraced the Reformation, and on the fame day was celebrated in private, according to the forms prescribed by the popish religion 8. The boldness with which Craig. the minister who was commanded to publish the banns, teftified against the defign; the small number of the nobles who were present at the marriage; and the fullen and difrespectful silence of the people when the queen appeared in public; were manifest symptoms of the violent and general diffatisfaction of her own subjects. The refusal of Du Croe, the French ambassador, to be present at the nuptial ceremony or entertainment, discovers the sentiments of her allies with regard to this part of her conduct; and although every other action in Mary's life could be justified by the rules of prudence, or reconciled to the principles of virtue, this fatal marriage would remain an incontestable proof of her rashness, if not her guilt.

MARY's first care was to offer some apology for her conduct, to the courts of France and England. The inftructions to her ambassadors still remain, and are drawn by a masterly hand. But under all the artificial and false colouring the employs, it is eafy to discover, not only that many of the steps she had taken were unjustifiable, but that she herself

was confcious that they could not be justified h.

THE title of king was the only thing wich was not bestowed upon Bothwell. Notwithstanding her attachment to him, Mary remembered the inconveniencies which had arifen from the rash advancement of her former husband to that honour. She agreed, however, that he should sign, in token of confent, all the public writs iffued in her name i. But though the queen withheld from him the title of king, he

possessed.

And. i. 87. h And. i. 89.

E Id. 136. ii. 276. i Good. ii. 60.

BOOK possessed, nevertheless, regal power in its full extent. The queen's person was in his hands; she was surrounded more closely than ever by his creatures; none of her subjects could obtain audience without his permission; and, unless in his 1567. own presence, none but his confidents were permitted to converse with her k. The Scottish monarchs were accustomed to live among their subjects as fathers or as equals, without distrust, and with little state; armed guards standing at the doors of the royal apartment, difficulty of access, distance and

retirement, were things unknown and unpopular.

Endezvours tobecome masfter of the prince's perfon.

THESE precautions were necessary for securing to Bothwell the power which he had acquired. But, without being mafter of the person of the young prince, he esteemed all that he had gained to be precarious and uncertain. The queen had committed her fon to the care of the earl of Mar. The fidelity and loyalty of that nobleman were too well known to expect that he would be willing to put the prince into the hands of the man who was so violently suspected of having murdered his father. Bothwell, however, laboured to get the prince into his power, with an anxiety which gave rise to the blackest suspicions. All his address, as well as authority, were employed to perfuade, or to force Mar into a compliance with his demands !. And it is no flight proof, both of the firmness and dexterity of that nobleman, that he preserved a life of so much importance to the nation, from being in the power of a man, whom fear or ambition might have prompted to violent attempts against it.

General indignation which the queen's cited.

THE eyes of the neighbouring nations were fixed, at that time, upon the great events which had happened in Scotland during three months: a king murdered with the utmost conduct ex- cruelty, in the prime of his days, and in his capital city; the person suspected of that odious crime suffered not only to appear publicly in every place, but admitted into the presence of the queen, distinguished by her favour, and intrusted with the chief direction of her affairs; subjected to a trial which was carried on with most shameless partiality, and acquitted by a fentence which ferved only to confirm the fuspicions of his guilt; divorced from his wife, on pretences frivolous or indecent; and after all this, inflead of meeting with the ignominy due to his actions, or the punishment merited by his crimes, permitted openly, and without oppofition, to marry a queen, the wife of the prince whom he had affaffinated, and the guardian of those laws which he had been guilty of violating. Such a quick succession of incidents,

And. i. 136.

1 Melv. 160. Buch. 361.

dents, fo fingular and fo detestable, in the space of three BOOK months, is not to be found in any other history. They left, in the opinion of foreigners, a mark of infamy on the character of the nation. The Scots were held in abhorrence all over Europe; they durst hardly appear any where in public; and after fuffering fo many atrocious deeds to pass with impunity, they were univerfally reproached as men void of courage, or of humanity, as equally regardless of the reputation of their queen and the honour of their country m.

THESE reproaches roused the nobles, who had been hi- The nobles therto amused by Bothwell's artifices, or intimidated by his combine power. The manner in which he exercised the authority against her which he acquired, his repeated attempts to become mafter well. of the prince's person, together with some rash threatenings against him, which he let fall n, added to the violence and promptitude of their resolutions. A considerable body of them affembled at Stirling, and entered into an affociation for the defence of the prince's person. Argyll, Athol, Mar, Morton, Glencairn, Home, Lindfay, Boyd, Murray of Tullibardin, Kirkaldy of Grange, and Maitland the fecretary, were the heads of this confederacy °. Stewart earl of Athol was remarkable for an uniform and bigotted attachment to popery; but his indignation on account of the murder of the king, to whom he was nearly allied, and his zeal for the fafety of the prince, overcame, on this occasion, all confiderations of religion, and united him with the most zealous protestants. Several of the other nobles acted, without question, from a laudable concern for the safety of the prince and the honour of their country. But the spirit which fome of them discovered during the subsequent revolutions, leaves little room to doubt, that ambition or refentment were the real motives of their conduct; and that, on many occafions, while they were pursuing ends just and necessary, they were actuated by principles and passions altogether unjustifiable.

THE first accounts of this league filled the queen and Bothwell with great consternation. They were no strangers to the fentiments of the nation with respect to their conduct; and though their marriage had not met with public opposition, they knew that it had not been carried on without the fecret difgust and murmurings of all ranks of men. They forefaw the violence with which this indignation would burst out, after having been so long suppressed; and in order to prepare for the storm, Mary issued a proclamation, May 28.

requiring

· Keith, 394. <sup>n</sup> Melv. 161.

1567-

m Anders. vol. i. 128. 134. Melv. 163. See Appendix, No. XXI.

BOOK requiring her subjects to take arms, and to attend her husband by a day appointed. At the same time, she published a fort of manifesto, in which she laboured to vindicate her government from those imputations which it had been loaded with, and employed the strongest terms to express her concern for the fafety and welfare of the prince her fon. Neither of these produced any considerable effect. proclamation was ill obeyed, and her manifesto met with little credit P.

The queen and Bothwell retire to Dunbar.

THE confederate lords carried on their preparations with no less activity, and with much more fuccess. Among a warlike people, men of fo much power and popularity found it an eafy matter to raife an army. They were ready to march before the queen and Bothwell were in a condition The caftle of Edinburgh was the place to refift them. whither the queen ought naturally to have retired, and there her person might have been persectly safe. But the confederates had fallen on means to shake or corrupt the fidelity of fir James Balfour, the deputy governor, and Bothwell durft June 6. not commit to him fuch an important trust. He conducted the queen to the castle of Borthwick, and on the appearance of lord Home, with a body of his followers, before that place, he fled with precipitation to Dunbar, and was followed by the queen difguifed in men's clothes. The confederates advanced towards Edinburgh, where Huntly endeavoured, in vain, to animate the inhabitants to defend the town against them. They entered without opposition, and were instantly joined by many of the citizens, whose zeal became the firmest support of their cause q.

In order to fet their own conduct in the most favourable fight, and to rouse the public indignation against Bothwell, the nobles published a declaration of the motives which had induced them to take arms. All Bothwell's past crimes were enumerated, all his wicked intentions displayed and aggravated, and every true Scotchman was called upon to join them in avenging the one and preventing the other .

MEANWHILE Bothwell affembled his forces at Dunbar, and as he had many dependants in that corner, he foon gathered such strength, that he ventured to advance towards the confederates. Their troops were not numerous; the fuddenness and secrecy of their enterprise gave their friends at a distance no time to join them; and as it does not appear they were supported either with money or fed with hopes by the queen of England, they could not have kept long in a

r Keith, 387. 395, 396.

hody. But on the other hand, Bothwell durst not rilk a Book delay's. His army followed him with reluctance in this quarrel, and ferved him with no cordial affection; fo that his only hope of fuccess was in surprising the enemy, or in firiking the blow before his own troops had leifure to recollect themselves, or to imbibe the same unfavourable opinion of his actions, which had spread over the rest of the nation. These motives determined the queen to march forward, with an inconfiderable and fatal speed.

d

On the first intelligence of her approach, the confede- The nobles rates advanced to meet her. They found her forces drawn march up almost on the same ground which the English had occu- against pied before the battle of Pinkie. The numbers on both July 13. fides were nearly equal; but there was no equality in point of discipline. 'The queen's army confisted chiefly of a multitude, haftily affembled, without courage or experience in war. The troops of the confederates were composed of gentlemen of rank and reputation, followed by their most trusty dependants, who were no less brave than zealous t.

LE CROC the French ambaffador, who was in the field, An accomlaboured, by negociating both with the queen and the no-modation bles, to put an end to the quarrel without the effusion of blood. He represented to the confederates the queen's inclinations towards peace, and her willingness to pardon the offences which they had committed. Morton replied with warmth, that they had taken arms not against the queen, but against the murderer of her husband; and if he were given up to justice, or banished from her presence, the should find them ready to yield the obedience which is due from subjects to their fovereign. Glencairn added, that they did not come to ask pardon for any offence, but to punish those who had offended. Such haughty answers convinced the ambaffador, that his mediation would be ineffectual, and that their passions were too high to allow them to listen to any pacific propositions, or to think of retreating after having proceeded fo far ".

THE queen's army was posted to advantage, on a rifing The confederates advanced to the attack resolutely, but flowly, and with the caution which was natural on that unhappy field. Her troops were alarmed at their approach, and discovered no inclination to fight. Mary endeavoured to animate them; the wept, the threatened, the reproached them with cowardice, but all in vain. A few of Bothwell's immediate attendants were eager for the encounter; the rest flood

BOOK flood wavering and irrefolute, and fome began to steal out of the field. Bothwell attempted to inspirit them, by offering to decide the quarrel, and to vindicate his own innocence, in fingle combat with any of his adversaries. Kirkaldy of 1567-Grange, Murray of Tullibardin, and lord Lindsay, contended for the honour of entering the lifts against him. But this challenge proved to be a mere bravade. Either the confci-

> oulness of guilt deprived Bothwell of his wonted courage. or the queen, by her authority forbad the combat x.

> AFTER the symptoms of fear discovered by her followers, Mary would have been inexcufable had the hazarded a battle. To have retreated in the face of an enemy who had already furrounded the hill on which she stood, with part of their cavalry, was utterly impracticable. In this fituation, the was under the cruel necessity of putting herself into the hands of those subjects who had taken arms against her. She demanded an interview with Kirkaldy, a brave and generous man, who commanded an advanced body of the enemy. He, with the confent and in the name of the leaders of the party, promifed that, on condition the would dismiss Bothwell from her presence, and govern the kingdom by the advice of her nobles, they would honour and obey her as their fovereign .

Both well During this parley, Bothwell took his last farewell of obliged to the queen, and rode off the field with a few followers. This difmal reverse happened exactly one month after that marriage which had cost him so many crimes to accomplish, and which leaves fo foul a ftain on Mary's memory.

Mary furrenders to the nobles.

fly.

As foon as Bothwell retired, Mary furrendered to Kirkaldy, who conducted her toward the confederate army, the leaders of which received her with much respect; and Morton, in their name, made ample professions of their future loyalty and obedience 2. But she was treated by the common foldiers with the utmost insolence and indignity. fhe marched along, they poured upon her all the opprobrious names which are bestowed only on the lowest and most in-Wherever she turned her eyes, they famous criminals. held up before her a standard, on which was painted the dead body of the late king, stretched on the ground, and the young prince kneeling before it, and uttering these words, "Judge and revenge my cause, O Lord!" Mary turned with horror from fuch a shocking sight. She began already to feel the wretched condition to which a captive prince is reduced. She uttered the most bitter complaints,

x Cald. vol. ii. 50.

<sup>&</sup>lt;sup>2</sup> Good. vol. ii. 165.

y Good. vol. ii. 164. Melv. 165.

the melted into tears, and could hardly be kept from finking BOOK to the ground. The confederates conducted her towards Edinburgh; and in spight of many delays, and after looking, with the fondness and credulity natural to the unfortunate, for fome extraordinary relief, the arrived there. The streets were covered with multitudes, whom zeal or curiofity had drawn together, to behold fuch an unufual fcene. The queen, worn out with fatigue, covered with dust, and bedewed with tears, was exposed as a spectacle to her own fubjects, and led to the provost's house. Notwithstanding all her arguments and intreaties, the fame standard was carried before her, and the fame infults and reproaches repeated a. A woman, young, beautiful, and in diffress, is naturally the object of compassion. The comparison of their present misery with their former splendour, usually softens us in favour of illustrious sufferers. But the people beheld the deplorable fituation of their fovereign with infenfibility; and fo strong was their persuasion of her guilt, and so great the violence of their indignation, that the fufferings of their queen did not, in any degree, mitigate their refentment, or procure her that fympathy which is feldom denied to unfortunate princes.

1567.

a Melv. 166. Buch. 364.

Vol. I.

## B K

BOOK v. 1567. tions of the

HE confederate lords had proceeded to fuch extremities against their fovereign, that it now became almost impossible for them either to stop short, or to pursue a course less violent. Many of the nobles had refused to concur with them in their enterprise; others openly condemned it. A nobles con- small circumstance might abate that indignation with which cerning the the multitude were at present animated against the queen, and deprive them of that popular applause which was the chief foundation of their power. These considerations inclined fome of them to treat the queen with great lenity.

Bur, on the other hand, Mary's affection for Bothwell continued as violent as ever; she obstinately refused to hearken to any propofal for diffolving their marriage, and determined not to abandon a man, for whose love she had already facrificed fo much \*. If they should allow her to recover the supreme power, the first exertion of it would be to recall Bothwell; and they had reason, both from his refentment, from her conduct, and from their own, to expect the feverest effects of her vengeance. These considerations furmounted every other motive, and reckoning themselves absolved, by Mary's incurable attachment to Bothwell, from the engagements which they had come under when she yielded herfelf a prisoner, they, without regarding the duty which they owed her as their queen, and without confulting the rest of the nobles, carried her next evening, under a strong guard, to the castle of Lochlevin, and signed a warrant to William Douglas, the owner of it, to detain her as a prisoner. This castle is situated in a small island, in the middle of a lake. Douglas, to whom it belonged, was a near relation of Morton's, and had married the earl of Murray's mother. In this place, under strict custody, with a few attendants, and subjected to the insults of a haughty woman, who boasted daily of being the lawful wife of James V. Mary suffered all the rigour and miseries of captivity b.

They imprison her in Lochlevin.

> IMMEDIATELY after the queen's imprisonment, the confederates were at the utmost pains to strengthen their party; they entered into new bonds of affociation; they affumed the title of Lords of the fecret Council, and without any other right, arrogated to themselves the whole regal authority. One of their first acts of power was, to search the city of Edin-

burgh

<sup>2</sup> Kelth, 419. 446. 449. Melv. 167. See Appendix, No. XXII. b Keith, 403. Note (b)

v.

1567.

burgh for fuch as had been concerned in the murder of the BOOK king. This show of zeal gained reputation to themselves, and threw an oblique reflection on the queen for her remiffness. Several suspected persons were seized. Captain Blackadder and three others were condemned and executed. But no discovery of importance was made. If we believe some historians, they were convicted by fufficient evidence. If we give credit to others, their fentence was unjust, and they denied, with their last breath, any knowledge of the crime for which they fuffered c.

An unexpected accident, however, put into the hands of Mary's enemies what they deemed the fullest evidence of her guilt. Bothwell having left in the castle of Edinburgh a casket, containing several sonnets and letters written with the queen's own hand; he now fent one of his confidents to bring to him this precious deposite. But as his messenger returned, he was intercepted, and the casket seized by Mortond. The contents of it were always produced by the party as the most ample justification of their own conduct; and to these they continually appealed as the most unanswerable proof of their not having loaded their fovereign with the im-

putation of imaginary crimes e.

Bur the confederates, notwithstanding their extraordi- some of nary fuccess, were still far from being perfectly at ease. the nobles That fo fmall a part of the nobles should pretend to dispose favour the of the person of their sovereign, or to assume the authority queen. which belonged to her, without the concurrence of the reft, appeared to many of that body to be unprecedented and pre-Several of these were now affembled at Hamilfumptuous. ton, in order to deliberate what course they should hold in this difficult conjuncture. The confederates made some attempts towards a coalition with them, but without effect. They employed the mediation of the affembly of the church, to draw them to a personal interview at Edinburgh, but with no better fuccess. That party, however, though its numbers were formidable, and the power of its leaders great, foon lost reputation by the want of unanimity and vigour; all its consultations evaporated in mutmurs and complaints, and no scheme was concerted for obstructing the progress of the confederates f.

THERE appeared fome prospect of danger from another Elizabeth quarter. This great revolution in Scotland had been carried interpofes in her beon without any aid from Elizabeth, and even without her half.

Cald. vol. ii. 53. Crawf. Mem. 35. Anderf. vol. ii. 92. Good. vol. ii. 90.
See Differtation at the end of the History.
Keith, 407. See Differtation at the end of the History.

v. 1567.

June 30.

BOOK knowledge 5. Though the was far from being displeased at feeing the affairs of that kingdom embroiled, or a rival, whom she hated, reduced to distress; she neither wished that it should be in the power of the one faction entirely to suppress the other, nor could she view the steps taken by the confederates without great offence. Notwithstanding the popular maxims by which the governed her own fubjects, her notions of royal prerogative were very exalted. The confederates had, in her opinion, encroached on the authority of their fovereign, which they had no right to control, and had offered violence to her person, which it was their duty to esteem facred. They had set a dangerous example to other subjects, and Mary's cause became the common cause of princes h. If ever Elizabeth was influenced with regard to the affairs of Scotland by the feelings of her heart, rather than by confiderations of interest, it was on this occasion. Mary, in her present condition, degraded from her throne, and covered with the infamy attending an accusation of fuch atrocious crimes, could be no longer the object of Elizabeth's jealousy, either as a woman or as a queen. Sympathy with a fovereign in diffress seems, for a moment, to have touched a heart not very susceptible of tender sentiments; and, while these were yet warm, she dispatched Throgmorton into Scotland, with power to negotiate both with the queen and with the confederates. In his instructions there appears a remarkable folicitude for Mary's liberty, and even for her reputation; and the terms upon which she proposed to re-establish concord between the queen and her fubjects, appear to be so reasonable and well digested, as might have enfured the fafety and happiness of both. Zealous as Throgmorton was to accomplish this, all his emdeavours and address proved ineffectual. He found not only the confederate nobles, but the nation in general, for far alienated from the queen, and fo much offended with the indecent precipitancy of her marriage with the reputed murderer of her former husband, as to be incapable of listening to any proposition in her favour.

During the state of anarchy occasioned by the imprisonment of the queen, and the diffolution of the established government, which afforded fuch ample scope for political speculation, four different schemes had been proposed for the settlement of the nation. One, that Mary should be replaced upon the throne, but under various and strict limita-The fecond that she should resign the crown to

8 Keith, 415.

h Id. 412-415

her fon, and retiring out of the kingdom, should reside, BOOK during the remainder of her days, either in England or in France. The third, that Mary should be brought to public \ trial for her crimes, and after conviction, of which no doubt was entertained, should be kept in perpetual imprisonment. The fourth, that after trial and condemnation, capital punishment should be inflicted upon her. Throgmorton, though disposed as well by his own inclination as in conformity to the spirit of his instructions, to view matters in the light most favourable to Mary, informed his court, that the milder schemes, recommended by Maitland alone, would undoubtedly be reprobated, and one of the more rigorous carried into execution.

In justification of this rigour, the confederates maintained that Mary's affection for Bothwell was still unabated, and openly avowed by her; that she rejected with disdain every propofal for dissolving their marriage; and declared, that she would forego every comfort, and endure any extremity, rather than give her confent to that measure. While these were her fentiments, they contended, that concern for the public welfare, as well as attention to their own fafety, rendered it necessary to put it out of the queen's power to restore a daring man, exasperated by recent injuries, to his former station, which must needs prove fatal to both. Notwithstanding their solicitude to conciliate the good-will of Elizabeth, they forefaw clearly what would be the effect, at this juncture, of Throgmorton's interpolition in behalf of the queen, and that the, elated with the prospect of protection, would refuse to listen to the overtures which they were about to make to her. For this reason they peremptorily denied Throgmorton access to their prisoner; and what propositions he made to them in her behalf they either refused or eluded i.

MEANWHILE they deliberated with the utmost anxiety schemes of concerning the fettlement of the nation, and the future dif- the confepofal of the queen's person. Elizabeth, observing that derate no-Throgmorton made no progrefs in his negotiations with them, and that they would liften to none of his demands in Mary's favour, turned towards that party of the nobles who were affembled at Hamilton, incited them to take arms in order to restore their queen to liberty, and promised to assist them in fuch an attempt to the utmost of her power k. But they discovered no greater union and vigour than formerly, and, behaving like men who had given up all concern

BOOK either for their queen or their country, tamely allowed an inconfiderable part of their body, whether we confider it with respect to numbers or to power, to settle the government of the kingdom, and to dispose of the queen's person at pleafure. Many confultations were held, and various opinions arose with regard to each of these. Some seemed defirous of adhering to the plan on which the confederacy was at first formed; and after punishing the murderers of the king, and dissolving the marriage with Bothwell; after providing for the fafety of the young prince, and the fecurity of the protestant religion; they proposed to re-establish the queen in the possession of her legal authority. The fuccefs with which their arms had been accompanied, inspired. others with bolder and more desperate thoughts, and nothing less would fatisfy them than the trial, the condemnation, and punishment of the queen herself, as the principal conspirator against the life of her husband and the safety of her fon 1: the former was Maitland's system, and breathed too much of a pacific and moderate spirit, to be agreeable to the temper or wishes of the party. The latter was recommended by the clergy, and warmly adopted by many laics; but the nobles durst not or would not venture on such an unprecedented and audacious deed m.

BOTH parties agreed at last upon a scheme, neither so moderate as the one, nor so daring as the other. Mary was to be perfuaded or forced to refign the crown; the young prince was to be proclaimed king, and the earl of Murray was to be appointed to govern the kingdom, during his minority, with the name and authority of regent. With regard to the queen's own person, nothing was determined. It feems to have been the intention of the confederates to keep her in perpetual imprisonment; but in order to intimidate herself, and to overawe her partifans, they still referved to themfelves the power of proceeding to more violent extremes.

IT was obvious to foresee difficulties in the execution of this plan. Mary was young, ambitious, high-spirited, and accustomed to command. To induce her to acknowledge her own incapacity for governing, to renounce the dignity and power which she was born to enjoy, to become dependant on her own subjects, to consent to her own bondage, and to invest those persons whom she considered as the authors of all her calamities with that honour and authority of which she herfelf

1 Keith, 420, 421, 422. 582.

They oblige the queen to refign the government.

m The intention of putting the queen to death feems to have been carried on by some of her subjects: at this time we often find Elizabeth boasting that Mary owed her life to her interpolition. Digges's Compl. Amb. 14, &c. See Append. No. XVIII.

herself was stripped, were points hard to be gained. These, BOOK however, the confederates attempted, and they did not want means to infure fuccess. Mary had endured, for feveral weeks, all the hardships and terror of a prison; no prospect of liberty appeared; none of her subjects had either taken arms, or fo much as folicited her relief n; no person in whom the could confide was admitted into her presence; even the ambaffadors of the French king, and queen of England, were refused access to her. In this folitary state, without a counfellor or a friend, under the pressure of distress and the apprehension of danger, it was natural for a woman to hearken almost to any overtures. The confederates took advantage of her condition and of her fears. They employed Lord Lindfay, the fiercest zealot in the party, to communicate their scheme to the queen, and to obtain her fubscription to those papers which were necessary for rendering it effectual. He executed his commission with harshness and brutality. Certain death was before Mary's eyes if she refused to comply with his demands. At the same time she was informed by Sir Robert Melvil, in the name of Athol, Maitland, and Kirkaldy, the persons among the confederates who were most attentive to her interest, that a refignation extorted by fear, and granted during her imprisonment, was void in law, and might be revoked as foon as she recovered liberty. Throgmorton, by a note which he found means of conveying to her, suggested the same thing . Deference to their opinion, as well as concern for her own fafety, obliged her to yield to every thing which was required, and to fign all the papers which Lindfay presented to her. By one of these she refigned the crown, renounced all share in the government of the kingdom, and confented to the coronation of the young king. By another, the appointed the earl of July 24. Murray regent, and conferred upon him all the powers and privileges of that high office. By a third, she substituted some other noblemen in Murray's place, if he should refuse the honour which was defigned for him. Mary, when the subscribed these deeds, was bathed in tears; and while she gave away, as it were with her own hands, the fceptre which the had fwayed fo long, the felt a pang of grief and indignation, one of the severest, perhaps, which can touch the human heart P. THE confederates endeavoured to give this refignation all James VI.

1567.

the weight and validity in their power, by proceeding without crowned,

delay to crown the young prince. The ceremony was per- and Murformed regent.

º Keith, 425. Note (8). Melv. 169. Keith, 425. n Keith, 430. Crawf. Mem. 38.

v. 1567.

BOOK formed at Stirling, on the twenty-ninth of July, with much folemnity, in presence of all the nobles of the party, a considerable number of lesser barons, and a great assembly of the people. From that time all public writs were issued, and the government carried on, in the name of James VI q.

No revolution fo great was ever effected with more eafe, or by means fo unequal to the end. In a warlike age, and in less time than two months, a part of the nobles, who neither possessed the chief power nor the greatest wealth in the nation, and who never brought three thousand men into the field, feized, imprisoned, and dethroned their queen, and without shedding a single drop of blood, set her son, an infant of a year old, on the throne.

Reasonings of both parties.

During this rapid progress of the confederates, the eyes of all the nation were turned on them with aftonishment; and various and contradictory opinions were formed concerning the extraordinary steps which they had taken.

EVEN under the aristocratical form of government which prevails in Scotland, faid the favourers of the queen, and notwithstanding the exorbitant privileges of the nobles, the prince possesses considerable power, and his person is treated with great veneration. No encroachments should be made on the former, and no injury offered to the latter, but in cases where the liberty and happiness of the nation cannot be fecured by any other means. Such cases seldom exist, and it belongs not to any part, but to the whole, or at least to a majority of the fociety, to judge of their existence. By what action could it be pretended that Mary had invaded the rights or property of her subjects, or what scheme had she formed against the liberty and constitution of the kingdom? Were fears, and fuspicions, and furmises, enough to justify the imprisoning and the deposing a queen, to whom the crown defcended from fo long a race of monarchs? The principal author of whatever was reckoned culpable in her conduct, was now driven from her presence. The murderers of the king might have been brought to condign punishment, the fafety of the prince have been fecured, and the protestant religion have been established, without wresting the sceptre out of her hands, or condemning her to perpetual imprison-Whatever right a free parliament might have had to proceed to fuch a rigorous conclusion, or whatever name its determinations might have merited, a fentence of this nature, passed by a small part of the nobility, without acknowledging or confulting the rest of the nation, must be deemed a rebel-

V.

1567.

a rebellion against the government, and a conspiracy against BOOK

the person of their sovereign.

THE partifans of the confederates reasoned very differently. It is evident, faid they, that Mary either previously gave confent to the king's murder, or did afterwards approve of that horrid action. Her attachment to Bothwell, the powers and honours with which she loaded him, the manner in which the fuffered his trial to be carried on, and the indecent speed with which the married a man flained with fo many crimes, raise strong suspicions of the former, and put the latter beyond all doubt. To have fuffered the supreme power to continue in the hands of an ambitious man, capable of the most atrocious and desperate actions, would have been disgraceful to the nation, dishonourable to the queen, and dangerous to the prince. Recourse was therefore had to arms. queen had been compelled to abandon a husband fo unworthy of herself. But her affection toward him still continuing unabated; her indignation against the authors of this feparation being visible, and often expressed in the strongest terms; they, by restoring her to her ancient authority, would have armed her with power to destroy themselves, have enabled her to recall Bothwell, and have afforded her an opportunity of pursuing schemes fatal to the nation with greater eagerness, and with more success. Nothing therefore remained, but by one bold action to deliver themselves and their The expedient they had country from all future fears. chosen was no less respectful to the royal blood, than neceffary for the public fafety. While one prince was fet afide as incapable of governing, the crown was placed on his head who was the undoubted representative of their ancient kings.

Whatever opinion posterity may form on comparing the arguments of the two contending parties, whatever sentiments we may entertain concerning the justice or necessity of that course which the confederates held, it cannot be denied that their conduct, so far as regarded themselves, was extremely prudent. Other expedients, less rigorous towards Mary, might have been found for settling the nation; but, after the injuries which they had already offered the queen, there was none so effectual for securing their own safety or

To a great part of the nation the conduct of the confederates appeared not only wife, but just. The king's accession to the throne was every where proclaimed, and his authority submitted to without opposition. Though several of the nobles were still assembled at Hamilton, and seemed to be entering into some combination against his government, an

affociation

B o o R affociation for supporting it was formed, and figned by fo many persons of power and influence throughout the nation,

as entirely discouraged the attempt.

Murray affumes the governmeat.

THE return of the earl of Murray about this time added strength to the party, and gave it a regular and finished form. Soon after the murder of the king, this nobleman had retired into France, upon what pretence historians do not mention. During his refidence there, he had held a close correspondence with the chiefs of the confederacy, and at their defire he now returned. He seemed at first unwilling to accept the office of regent. This helitation cannot be afcribed to the scruples either of disfidence or of duty. Murray wanted neither the abilities nor the ambition which entitled him to aspire to this high dignity. He had received the first accounts of his promotion with the utmost satisfaction; but by appearing to continue for some days in suspense, he gained time to view with attention the ground on which he was to act: to balance the strength and resources of the two contending factions, and to examine whether the foundation on which his future fame and fuccess must rest were found and firm.

BEFORE he declared his final refolution he waited on Mary This vifit to a fifter, and a queen, in a prison, at Lochlevin. from which he had neither any intention to relieve her, nor to mitigate the rigour of her confinement, may be mentioned among the circumstances which discover the great want of delicacy and refinement in that age. Murray, who was naturally rough and uncourtly in his manner's, expostulated so warmly with the queen concerning her past conduct, and charged her faults fo home upon her, that Mary, who had flattered herself with more gentle and brotherly treatment from him, melted into tears, and abandoned herself entirely to defpair . This interview, from which Murray could reap no political advantage, and wherein he discovered a spirit so fevere and unrelenting, may be reckoned among the most bitter circumstances in Mary's life, and is certainly one of the most unjustifiable steps in his conduct.

August 22.

Soon after his return from Lochlevin, Murray accepted the office of regent, and began to act in that character without opposition.

Fate of Bothwell. AMIDST so many great and unexpected events, the fate of Bothwell, the chief cause of them all, hath been almost forgotten. After his slight from the confederates, he lurked for some time among his vassals in the neighbourhood of Dunsbar. But finding it impossible for him to make head in that country

\* Anderf. vol. ii. 231.

· Keith, 96.

1 Ibid. 445, 446.

country against his enemies, or even to secure himself from BOOK their pursuit, he fled for shelter to his kinsman the bishop of Murray; and when he, overawed by the confederates, was obliged to abandon him, he retired to the Orkney Isles. Hunted from place to place, deferted by his friends, and accompanied by a few retainers as desperate as himself, he suffered at once the miferies of infamy and of want. His indigence forced him upon a course which added to his infamy. He armed a few small ships, which had accompanied him from Dunbar, and attacking every vessel which fell in his way, endeavoured to procure subfiftence for himself and his followers by piracy. Kirkaldy and Murray of Tullibardia were fent out against him by the confederates; and surprising him while he rode at anchor, feattered his small fleet, took a part of it, and obliged him to fly with a fingle ship towards Norway. On that coast, he fell in with a vessel richly laden, and immediately attacked it; the Norwegians failed with armed boats to its affiftance, and after a desperate fight, Bothwell and all his crew were taken prisoners. His name and quality were both unknown, and he was treated at first with all the indignity and rigour which the odious crime of piracy merited. His real character was foon discovered, and though it faved him from the infamous death to which his affociates were condemned, it could neither procure him liberty, nor mitigate the hardships of his imprisonment. He languished ten years in this unhappy condition; melancholy and despair deprived him of reason, and at last he ended his days, unpitied by his countrymen, and unaffiled by strangers ". Few men ever accomplished their ambitious projects by worse means, or reaped from them less satisfaction. The early part of his life was restless and enterprising, full of danger and of vicislitudes. His enjoyment of the grandeur, to which he attained by fo many crimes, was extremely thort; imbittered by much anxiety, and disquieted by many fears, In his latter years he suffered the most intolerable calamities to which the wretched are subject, and from which persons who have moved in so high a sphere are commonly exempted.

THE good effects of Murray's accession to the regency Success of were quickly felt. The party forming for the queen was the regent's admissionweak, irrefolute, and difunited; and no fooner was the go- tion. vernment of the kingdom in the hands of a man fo remarkable both for his abilities and popularity, than the nobles, of whom it was composed, lost all hopes of gaining ground, and began to treat separately with the regent. So many of

V. 1567.

ROOK them were brought to acknowledge the king's authority, that fcarce any appearance of opposition to the established government was left in the kingdom. Had they adhered to the queen with any firmness, it is probable, from Elizabeth's disposition at that time, that she would have afforded them fuch affiltance as might have enabled them to face their enemies in the field. But there appeared fo little vigour or harmony in their councils, that the was discouraged from espousing their cause; and the regent, taking advantage of their fituation, obliged them to fubmit to his government, without granting any terms, either to themselves or to the queen x.

> THE regent was no less successful in his attempt to get into his hands the places of strength in the kingdom. Balfour, the deputy governor, furrendered the castle of Edinburgh; and as the reward of his treachery, in deferting Bothwell his patron, obtained terms of great advantage to himfelf. The governor of Dunbar, who discovered greater fidelity, was foon forced to capitulate: fome other small

forts furrendered without refistance.

A parfiament, Decem. 15.

This face of tranquillity in the nation encouraged the regent to call a meeting of parliament. Nothing was wanting to confirm the king's authority, and the proceedings of the confederates, except the approbation of this supreme court; and after the fuccess which had attended all their measures. there could be little doubt of obtaining it. The numbers that reforted to an affembly which was called to deliberate on matters of fo much importance, were great. The meeting was opened with the utmost folemnity, and all its acts passed with much unanimity. Many, however, of the lords who had discovered the warmest attachment to the queen were present. But they had made their peace with the regent. Argyll, Huntly, and Herries acknowledged openly in parliament, that their behaviour towards the king had been undutiful and criminaly. Their compliance, in this manner, with the measures of the regent's party, was either the condition on which they were admitted into favour, or intended as a proof of the fincerity of their reconcilement.

Confirms the proceedings of the confederates.

THE parliament granted everything the confederates could demand, either for the fafety of their own persons or the security of that form of government which they had established in the kingdom. Mary's refignation of the crown was accepted, and declared to be valid. The king's authority and Murray's election were recognifed and confirmed. The imprisoning

<sup>\*</sup> Keith, 447. 450. 463.

Anders. vol. iv. 153. See Appendix, No. XXIV.

v.

1567-

prisoning the queen, and all the other proceedings of the BOOK confederates, were pronounced lawful. The letters which Mary had written to Bothwell were produced, and she was declared to be accessary to the murder of the king . At the fame time all the acts of parliament of the year one thoufand five hundered and fixty, in favour of the protestant religion, were publicly ratified; new statutes to the same purpose were enacted; and nothing that could contribute to root out the remains of popery, or to encourage the growth of the reformation, was neglected.

IT is observable, however, that the same parsimonious fpirit prevailed in this parliament, as in that of the year one thousand five hundred and fixty. The protestant clergy, notwithstanding many discouragements, and their extreme poverty, had for feven years performed all religious offices in the kingdom. The expedients fallen upon for their fubfiftence had hitherto proved ineffectual, or were intended to be fo. But notwithstanding their known indigence, and the warm remonstrances of the affembly of the church which met this year, the parliament did nothing more for their relief, than prescribe some new regulations concerning the payment of the thirds of benefices, which did not produce any confiderable change in the fituation of the clergy.

A FEW days after the diffolution of parliament, four of Bothwell's dependants were convicted of being guilty of the January 3. king's murder, and fuffered death as traitors. Their confessions brought to light many circumstances relative to the manner of committing that barbarous crime; but they were persons of low rank, and seem not to have been admitted

into the fecrets of the conspiracy.a.

NOTWITHSTANDING the universal submission to the regent's authority, there still abounded in the kingdom many fecret murmurs and cabals. The partifans of the house of Hamilton reckoned Murray's promotion an injury to the duke of Chatelherault, who, as first prince of the blood, had, in their opinion, an undoubted right to be regent. The length and rigour of Mary's fufferings began to move many to commiserate her case. All who leaned to the ancient opinions in religion dreaded the effects of Murray's zeal. And he, though his abilities were great, did not possess the talents requifite for foothing the rage or removing the jealdusies of the different factions. By infinuation or address he might have gained or foftened many who had opposed him; but he was a stranger to these gentle arts. His virtues were fevere:

EGood. vol. ii. 66. Anders. vol. 2. 206.

Anders vol. ii. 165.

DOOK fevere; and his deportment towards his equals, especially after his elevation to the regency, distant and haughty. This behaviour offended some of the nobles and alarmed others. The queen's faction, which had been fo eafily difperfed, began again to gather and to unite, and was fecretly favoured by some who had hitherto zealously concurred with the confederates b.

Mary escapes from Pochlevin.

Such was the favourable disposition of the nation towards the queen, when the recovered her liberty, in a manner no less surprising to her friends, than unexpected by her enemies. Several attempts had been made to procure her an opportunity of escaping, which some unforeseen accident, or the vigilance of her keepers, had hitherto disappointed. At last Mary employed all her art to gain George Douglas, her keeper's brother, a youth of eighteen. As her manners were naturally affable and infinuating, the treated him with the most flattering distinction; she even allowed him to entertain the most ambitious hopes, by letting fall some expressions, as if the would chuse him for her husband c. At his age, and in fuch circumstances, it was impossible to resist such a temptation. He yielded, and drew others into the plot. On Sunday the feeond of May, while his brother fat at supper, and the rest of the family were retired to their devotions, one of his accomplices found means to fteal the keys out of his brother's chamber, and opening the gates to the queen and one of her maids, locked them behind her, and then threw the keys into the lake. Mary ran with precipitation to the boat which was prepared for her, and on reaching the shore was received with the utmost joy, by Douglas, lord Seaton, and fir James Hamilton, who, with a few attendants, waited for her. She instantly mounted on horseback, and rode full speed towards Niddrie, lord Seaton's feat in West Lothian. She arrived there that night, without being purfued or interrupted. After halting three hours she fet out for Hamilton; and travelling at the same pace, she reached it next morning.

Arrives at Hamilton, and raifes a numerous army.

On the first news of Mary's escape her friends, whom, in their present disposition, a much smaller accident would have roused, ran to arms. In a few days her court was filled with a great and splendid train of nobles, accompanied by fuch numbers of followers, as formed an army above fix thousand strong. In their presence she declared that the refignation of the crown, and the other deeds which she had figned during her imprisonment, were extorted from her by

fear.

fear. Sir Robert Melvil confirmed her declaration; and on B o o K that, as well as on other accounts, a council of the nobles and chief men of her party pronounced all these transactions void and illegal. At the same time an affociation was formed for the defence of her person and authority, and sub- May & scribed by nine earls, nine bishops, eighteen lords, and many gentlemen of distinction d. Among them we find several who had been present in the last parliament, and who had figned the counter-affociation in defence of the king's government; but fuch fudden changes were then fo common,

as to be no matter of reproach.

AT the time when the queen made her escape the regent Consternawas at Glasgow, holding a court of justice. An event so tion of the regent's contrary to their expectations, and fo fatal to their schemes, adherents. gave a great shock to his adherents. Many of them appeared wavering and irrefolute; others began to carry on private negotiations with the queen; and some openly revolted to her side. In so dissicult a juncture, where his own fame, and the being of the party, depended on his choice, the regent's most faithful associates were divided in opinion. Some advised him to retire, without loss of time, to Stirling. The queen's army was already strong, and only eight miles diftant; the adjacent country was full of the friends and dependents of the house of Hamilton, and other lords of the queen's faction; Glafgow was a large and unfortified town; his own train confifted of no greater number than was usual in times of peace; all these reasons pleaded for a retreat. But, on the other hand, arguments were urged of no inconsiderable weight. The citizens of Glasgow were well affected to the cause; the vasfals of Glencairn, Lennox, and Semple, lay near at hand, and were both numerous and full of zeal; fuccours might arrive from other parts of the kingdom in a few days; in war, fuccess depends upon reputation, as much as upon numbers; reputation is gained or loft by the first step one takes; in his circumstances, a retreat would be attended with all the ignominy of a flight, and would at once dispirit his friends, and inspire his enemies with boldness. In such dangerous exigencies as this, the His prudfuperiority of Murray's genius appeared, and enabled him ent conboth to chuse with wisdom and to act with vigour. He de-due. clared against retreating, and fixed his head-quarters at Glafgow. And while he amused the queen for some days, by pretending to hearken to some overtures, which she made for accommodating their differences, he was employed with

the

BOOK the utmost industry, in drawing together his adherents from different parts of the kingdom. He was foon in a condition to take the field; and though far inferior to the enemy in number, he confided fo much in the valour of his troops and the experience of his officers, that he broke off the negotiation, and determined to hazard a battle e.

May 13.

AT the fame time, the queen's generals had commanded her army to move. Their intention was, to conduct her to Dunbarton-castle, a place of great strength, which the regent had not been able to wrest out of the hands of lord Fleming the governor; but if the enemy should endeavour to inter-\*upt their march, they resolved not to decline an engagement. In Mary's fituation, no refolution could be more imprudent. A part only of her forces was affembled. Huntly, Ogilvie, and the northern clans, were foon expected; her fufferings had removed or diminished the prejudices of many among her fubjects; the address with which she surmounted the dangers that obstructed her escape, dazzled and interested the people; the fudden confluence of fo many nobles added lustre to her cause; she might affuredly depend on the friendship and countenance of France; she had reason to expect the protection of England; her enemies could not possibly look for support from that quarter. She had much to hope from pursuing flow and cautious measures; they had every thing to fear.

Bur Mary, whose hopes were naturally fanguine, and her passions impetuous, was so elevated by her sudden transition from the depth of diffress, to such an unusual appearance of prosperity, that she never doubted of success. Her army, which was almost double to the enemy in number, consisted chiefly of the Hamiltons and their dependants. Of these the archbishop of St. Andrew's had the chief direction, and hoped, by a victory, not only to crush Murray, the ancient enemy of his house, but to get the person of the queen into his hands, and to oblige her either to marry one of the duke's fons, or at least to commit the chief direction of her affairs His ambition proved fatal to the queen, to himto himfelf.

felf, and to his family f.

Battle of Langlide.

Mary's imprudence in refolving to fight, was not greater than the ill conduct of her generals in the battle. Between the two armies, and on the road towards Dunbarton, there was an eminence called Langfide Hill. This the regent had the precaution to feize, and posted his troops in a small vil-

lage, and among fome gardens and inclosures adjacent. In BOOK this advantageous fituation he waited the approach of the enemy, whose superiority in cavalry could be of no benefit w to them on fuch broken ground. The Hamiltons, who composed the wanguard, ran so eagerly to the attack, that they put themselves out of breath, and left the main battle far behind. The encounter of the spearmen was fierce and desperate; but as the forces of the Hamiltons were exposed, on the one flank, to a continued fire from a body of mufqueteers, attacked on the other by the regent's most choice troops, and not supported by the rest of the queen's army, they were foon obliged to give ground, and the rout imme- The diately became universal. Few victories, in a civil war, and queen's among a fierce people, have been purfued with less violence, army or attended with less bloodshed. Three hundred fell in the defeated. or attended with less bloodshed. Three hundred fell in the field: in the flight almost none were killed. The regent and his principal officers rode about, befeeching the foldiers to spare their countrymen. The number of prisoners was great, and among them many persons of distinction. The regent marched back to Glafgow, and returned public thanks to God for this great, and, on his fide, almost bloodless. victory g.

During the engagement, Mary stood on a hill, at no great distance, and beheld all that passed in the field, with Her sight. fuch emotions of mind as are not eafily described. When the faw the army, which was her last hope, thrown into irretrievable confusion, her spirit, which all her past misfortunes had not been able entirely to fubdue, funk altogether. In the utmost consternation, she began her slight, and so lively were her impressions of fear, that she never closed her eyes till she reached the abbey of Dundrenan in Galloway, full fixty Scottish miles from the place of battle b.

THESE revolutions in Mary's fortune had been no less rapid than fingular. In the short space of eleven days, she had been a prisoner at the mercy of her most inveterate enemies; she had seen a powerful army under her command, and a numerous train of nobles at her devotion; and now she was obliged to fly, in the utmost danger of her life, and to lurk, with a few attendants, in a corner of her kingdom. Not thinking herfelf fafe, even in that retreat, her fears impelled her to an action, the most unadvised, as well as the most unfortunate in her whole life. This was her retiring into England, a step which, on many accounts, ought to have appeared to her rash and dangerous. Vol. I.

BEFORE

v. 1568.

into England.

BEFORE Mary's arrival in Scotland, mutual diffrust and BOOK jealousies had arisen between her and Elizabeth. All their fubfequent transactions had contributed to exasperate and inflame these passions. She had endeavoured, by secret nego-Resolveson tiations and intrigues, to disturb the tranquillity of Elizabeth's government, and to advance her own pretentions to the English crown. Elizabeth, who possessed great power, and acted with lefs referve, had openly supported Mary's rebellious subjects, and fomented all the dissensions and troubles in which her reign had been involved. The maxims of policy still authorised that queen to pursue the same course; as by keeping Scotland in confusion she effectually secured the peace of her own kingdom. The regent, after his victory, had marched to Edinburgh, and not knowing what courfe the queen had taken, it was feveral days before he thought of purfuing her i. She might have been concealed in that retired corner, among subjects devoted to her interest, until her party, which was difperfed rather than broken by the late defeat, should gather such strength that she could again appear with fafety at their head. There was not any danger which she ought not to have run, rather than throw herself into the hands of an enemy, from whom she had already fuffered to many injuries, and who was prompted, both by inclination and by interest, to renew them.

Bur, on the other hand, during Mary's confinement, Elizabeth had declared against the proceedings of her subjects, and folicited for her liberty with a warmth which had all the appearance of fincerity. She had invited her to take refuge in England, and had promifed to meet her in person, and to give her fuch a reception as was due to a queen and an ally k. Whatever apprehension Elizabeth might entertain of Mary's defigns while she had power in her hands, she was at present the object, not of fear, but of pity; and to take advantage of her fituation, would be both ungenerous and inhuman. The horrors of a prison were fresh in Mary's memory, and if the should fall a fecond time into the hands of her subjects, there was no injury to which the presumption of fuccefs might not embolden them to proceed. To attempt escaping into France was dangerous, and in her fituation almost impossible; nor could she bear the thoughts of appearing as an exile and a fugitive in that kingdom where the had once enjoyed all the splendour of a queen. England remained her only afylum; and in spite of the entreaties of lord Herries, Fleming, and her other attendants,

i Crawf. Mem. 59.

who

Lamb. 489. Anderf. vol. iv. 99. 120. Murdin, 369.

who conjured her, even on their knees, not to confide in BOOK Elizabeth's promifes or generofity, her infatuation was invincible, and the refolved to fly thither. Herries, by her command, wrote to Lowther, the deputy governor of Carlifle, to know what reception he would give her; and before Her recephis answer could return, her fear and impatience were so tion at Cargreat, that she got into a fisher-boat, and with about twenty May 16. attendants landed at Wirkington in Cumberland, and thence the was conducted with many marks of respect to Carlisle 1.

As foon as Mary arrived in England, the wrote a long Elizabeth deliberates letter to the queen, representing, in the strongest terms, the concerning injuries which she had suffered from her own subjects, and the manner imploring that pity and affiftance which her prefent fituation of treating demanded m. An event so extraordinary, and the conduct her. which might be proper in confequence of it, drew the attention, and employed the thoughts, of Elizabeth and her council. If their deliberations had been influenced by confiderations of justice or generofity alone, they would not have found them long or intricate. A queen, vanquished by her own subjects, and threatened by them with the loss of her liberty, or of her life, had fled from their violence, and thrown herfelf into the arms of her nearest neighbour and ally, from whom the had received repeated affurances of friendship and protection. These circumstances entitled her to respect and to compassion, and required that the should either be restored to her own kingdom, or at least be left at full liberty to feek aid from any other quarter. But with Elizabeth and her counfellors the question was not, what was most just or generous, but what was most beneficial to herfelf, and to the English nation. Three different resolutions might have been taken, with regard to the queen of Scots. To reinstate her in her throne, was one; to allow her to retire into France, was another; to detain her in England, was a third. Each of these drew confequences after it, of the utmost importance, which were examined, as appears from papers still extant n, with that minute accuracy which Elizabeth's ministers employed in all their confultations upon affairs of moment.

To restore Mary to the full exercise of the royal authority in Scotland, they observed, would render her more powerful than ever. The nobles who were most firmly attached to the English interest would quickly feel the utmost weight As the gratitude of princes is feldom of her refentment. ftrong

<sup>1</sup> Keith, 483. Anders. vol. iv. 2.

n Anders, vol. iv. 34. 99. 102.

BOOK strong or lasting, regard to her own interest might foon efface the memory of her obligations to Elizabeth, and prompt her to renew the alliance of the Scottish nation with France, and revive her own pretentions to the English crown. Nor was it possible to fetter and circumscribe the Scottish queen by any conditions that would prevent these dangers. Her party in Scotland was numerous and power-Her return, even without any support from England, would inspire her friends with new zeal and courage; a fingle victory might give them the superiority, which they had loft by a fingle defeat, and render Mary a more formidable rival than ever to Elizabeth.

> THE dangers arising from suffering Mary to return into France, were no less obvious. The French king could not refuse his affiftance towards restoring his fister and ally to her throne. Elizabeth would once more fee a foreign army in the island, overawing the Scots, and ready to enter her kingdom; and if the commotions in France, on account of religion, were fettled, the princes of Lorrain might refume their ambitious projects, and the united forces of France and Scotland might invade England where it is weakest and most defenceless.

Refolves to detain her in England.

Nothing therefore remained but to detain her in England; and to permit her either to live at liberty there, or to confine her in a prison. The former was a dangerous experiment. Her court would become a place of refort to all the Roman catholics, to the difaffected, and to the lovers of innovation. Though Elizabeth affected to represent Mary's pretensions to the English crown as altogether extravagant and ill-founded, the was not ignorant that they did not appear in that light to the nation, and that many thought them preferable even to her own title. If the activity of her emissaries had gained her fo many abettors, her own perional influence was much more to be dreaded; her beauty, her address, her sufferings, by the admiration and pity which they would excite, could not fail of making many converts to her party o.

IT was indeed to be apprehended, that the treating Mary as a prisoner would excite universal indignation against Elizabeth, and that by this unexampled feverity towards a queen, who implored, and to whom she had promised her protection, she would forfeit the praise of justice and humanity, which was hitherto due to her administration. But the English monarchs were often so solicitous to secure their kingdom against the Scots, as to be little scrupulous

about the means which they employed for that purpose. BOOK Henry IV. had seized the heir of the crown of Scotland, who was forced, by the violence of a storm, to take refuge in one of the ports of his kingdom; and, in contempt of the rights of hospitality, without regarding his tender age, or the tears and intreaties of his father, detained him a prifoner for many years. This action, though detested by posterity, Elizabeth resolved now to imitate. Her virtue was not more proof than that of Henry had been, against the temptations of interest; and the possession of a present advantage was preferred to the prospect of future fame. The fatisfaction which the felt in mortifying a rival, whose beauty and accomplishments she envied, had perhaps no less influence than political confiderations, in bringing her to this resolution. But at the same time, in order to screen herself from the censure which this conduct merited, and to make her treatment of the Scottish queen look like the effect of necessity, rather than of choice, she determined to affume the appearance of concern for her interest, and of deep fympathy with her fufferings.

WITH this view she instantly dispatched lord Scroope, May 20. warden of the west marches, and fir Francis Knollys, her vice-chamberlain, to the queen of Scots, with letters full of expressions of kindness and condolence. But at the same time they had private inftructions to watch all her motions, and to take care that she should not escape into her own kingdom P. On their arrival, Mary demanded a personal Mary de interview with the queen, that the might lay before her the mittance injuries which she had suffered, and receive from her those into Elizafriendly offices which she had been encouraged to expect. beth's pre-They answered, that it was with reluctance admission into fence. the presence of their sovereign was at present denied her; that while she lay under the imputation of a crime so horrid as the murder of her husband, their mistress, to whom he was fo nearly allied, could not, without bringing a flain upon her own reputation, admit her into her presence; but as foon as fhe had cleared herfelf from that afperfion, they promifed her a reception fuitable to her dignity, and aid

proportioned to her diffress.

Nothing could be more artful than this pretence; and it She offers was the occasion of leading the queen of Scots into the tovindicate fnare in which Elizabeth and her ministers wished to en-duct. tangle her. Mary expressed the utmost surprise at this unexpected manner of evading her request; but as the could

1568.

v. 1568.

Elizabeth takes advantage of this offer.

BOOK not believe so many professions of friendship to be void of fincerity, the frankly offered to fubmit her cause to the cognizance of Elizabeth, and undertook to produce fuch proofs of her own innocence, and of the falsehood of the accusations brought against her, as should fully remove the scruples, and fatisfy the delicacy of the English queen. This was the very point to which Elizabeth laboured to bring the matter. In consequence of this appeal of the Scottish queen, the now considered herself as the umpire between her and her subjects, and foresaw that she would have it entirely in her own power to protract the inquiry to any length, and to perplex and involve it in endless difficulties. In the mean time the was furnished with a plausible reason for keeping her at a distance from court, and for refusing to contribute towards replacing her on the throne. As Mary's conduct had been extremely incautious, and the prefumptions of her guilt were many and ftrong, it was not impossible her subjects might make good their charge against her; and if this should be the result of the inquiry, she would, thenceforth, cease to be the object of regard or of compassion, and the treating her with coldness and neglect would merit little censure. In a matter so dark and mysterious, there was no probability that Mary could bring proofs of her innocence, fo incontested, as to render the conduct of the English queen altogether culpable; and, perhaps impatience under restraint, suspicion of Elizabeth's partiality, or the discovery of her artifices, might engage Mary in fuch cabals as would justify the using her with greater rigour.

ELIZABETH early perceived many advantages which would arise from an inquiry into the conduct of the Scottish queen, carried on under her direction. There was fome danger, however, that Mary might discover her secret intentions too foon, and by receding from the offer which she had made, endeavour to disappoint them. But even in that event, she determined not to drop the inquiry, and had thought of feveral different expedients for carrying it on. The countess of Lennox, convinced that Mary was accessary to the murder of her fon, and thirsting for that vengeance which it was natural for a mother to demand, had implored Elizabeth's justice, and folicited her, with many tears, in her own name, and in her husband's, to bring the Scottish queen to a trial for that crimer. The parents of the unhappy prince had a just right to prefer this accusation; nor could she, who was

their nearest kinswoman, be condemned for listening to so o K equitable a demand. Befides, as the Scottish nobles openly accused Mary of the same crime, and pretended to be able to confirm their charge by fufficient proof, it would be no difficult matter to prevail on them to petition the queen of England to take cognizance of their proceedings against their fovereign; and it was the opinion of the English council, that it would be reasonable to comply with the request s. At the same time, the obsolete claim of the superiority of England over Scotland began to be talked of; and on that account it was pretended that the decision of the contest between Mary and her fubjects belonged of right to Eliza-But though Elizabeth revolved all these expedients in her mind, and kept them in referve to be made use of as occasion might require, she wished that the inquiry into Mary's conduct should appear to be undertaken purely in compliance with her own demand, and in order to vindicate her innocence; and fo long as that appearance could be preserved, none of the other expedients were to be employed.

WHEN Mary confented to fubmit her cause to Elizabeth, the was far from fuspecting that any bad consequences could follow, or that any dangerous pretensions could be founded on her offer. She expected that Elizabeth herself would receive and examine her defences "; the meant to confider her as an equal, for whose fatisfaction she was willing to explain any part of her conduct that was liable to centure, not to acknowledge her as a fuperior, before whom she was bound to plead her cause. But Elizabeth put a very dif-She considered herself as ferent fense on Mary's offer. chosen to be judge in the controversy between the Scottish queen and her subjects, and began to act in that capacity. She proposed to appoint commissioners to hear the pleadings of both parties, and wrote to the regent of Scotland to empower proper persons to appear before them, in his name, and to produce what he could allege in vindication of his

proceedings against his fovereign.

Mary had hitherto relied with unaccountable credulity on Mary Elizabeth's professions of regard, and expected that so many greatly ofkind speeches would at last be accompanied with some suit-fended at Elizabeth's able actions. But this propofal entirely undeceived her. She conduct. plainly perceived the artifice of Elizabeth's conduct, and faw what a diminutionit would be to her own honour, to appear on a level with her rebellious fubjects, and to stand together with

V. 1568.

June 13.

BOOK them at the bar of a superior and a judge. She retracted the offer which she had made, and which had been perverted to a purpose so contrary to her intention. She demanded with more earnestness than ever, to be admitted into Elizabeth's presence; and wrote to her in a strain very different from what she had formerly used, and which fully discovers the grief and indignation that preyed on her heart. "In " my present situation," says she, "I neither will nor can " reply to the accusations of my subjects. I am ready, of " my own accord, and out of friendship to you, to satisfy "your scruples, and to vindicate my own conduct. My " fubjects are not my equals; nor will I, by fubmitting my " cause to a judicial trial, acknowledge them to be so. I " fled into your arms, as into those of my nearest relation " and most perfect friend. I did you honour, as I ima-" gined, in chufing you, preferably to any other prince, " to be the restorer of an injured queen. Was it ever " known that a prince was blamed for hearing in person the " complaints of those who appealed to his justice against the " false accusations of their enemies? You admitted into "your presence my bastard brother, who had been guilty of " rebellion; and you deny me that honour! God forbid " that I should be the occasion of bringing any stain upon "your reputation! I expected that your manner of treating " me would have added lustre to it. Suffer me either to " implore the aid of other princes whose delicacy on this head will be less, and their refentment of my wrongs " greater; or let me receive from your hands that affiltance "which it becomes you, more than any other prince, to " grant; and by that benefit bind me to yourfelf in the " indiffoluble ties of gratitude "."

against her.

This letter fomewhat disconcerted Elizabeth's plan, but June 20. I HIS letter lomewhat discontinued it. She laid the Blizabeth's did not divert her from the profecution of it. She laid the precautions matter before the privy council, and it was there determined, notwithstanding the intreaties and remonstrances of the Scottish queen, to go on with the inquiry into her conduct, and until that were finished, it was agreed that Elizabeth could not confiftently with her own honour, or with the fafety of her government, either give her the affiftance which she demanded, or permit her to retire out of the king-Lest she should have an opportunity of escaping, while she resided so near Scotland, it was thought advisable to remove her to some place at a greater distance from the borders y.

WHILE

WHILE the English court was occupied in these delibera- BOOK tions, the regent did not neglect to improve the victory at Langfide. That event was of the utmost importance to him. It not only drove the queen herfelf out of the kingdom, but left her adherents dispersed, and without a leader, at his Proceedmercy. He feemed refolved, at first, to proceed against them ings of the with the utmost rigour. Six persons of some distinction, against the who had been taken prisoners in the battle, were tried and queen's at condemned to death, as rebels against the king's govern-herents. ment. They were led to the place of execution, but by the powerful intercession of Knox they obtained a pardon. Hamilton of Bothwellhaugh was one of the number, who lived to give both the regent and Knox reason to repent of this commendable act of lenity 2.

Soon after the regent marched with an army, confifting of four thousand horse and one thousand foot, towards the west borders. The nobles in this part of the kingdom were all the queen's adherents; but as they had not force fufficient to obstruct his progress, he must either have obliged them to fubmit to the king, or would have laid waste their lands with fire and fword. But Elizabeth, whose interest it was to keep Scotland in confusion, by preserving the balance between the two parties, and who was endeavouring to foothe the Scottish queen by gentle treatment, interposed at her After keeping the field two weeks, the regent, in compliance to the English ambassador, dismissed his forces; and an expedition, which might have proved fatal to his op-

ponents, ended with a few acts of feverity 2.

THE resolution of the English privy council, with regard Mary earto Mary's person, was soon carried into execution; and, ried to Bot without regarding her remonstrances or complaints, she was ton. conducted to Bolton, a castle of lord Scroope's, on the bor-July 13. ders of Yorkshire b. In this place, her correspondence with her friends in Scotland became more difficult, and any profpect of making her escape was entirely cut off. She now felt herfelf to be entirely in Elizabeth's power, and though treated as yet with the respect due to a queen, her real condition was that of a prisoner. Mary knew what it was to be deprived of liberty, and dreaded it as the worst of all evils. While the remembrance of her late imprisonment was still lively, and the terror of a new one filled her mind, Elizabeth thought it a proper juncture to renew her former pro- July 28. polition,

<sup>2</sup> Cald. vol. ii. 99. 2 Ibid.

Anders. vol. iv. 14. See Appendix, No. XXV.

BOOK position, that she would suffer the regent and his adherents to be called into England, and confent to their being heard in defence of their own conduct. She declared it to be far from her intention to claim any right of judging between Mary and her subjects, or of degrading her so far as to require that she should answer to their accusations. On the contrary, Murray and his affociates were fummoned to appear, in order to justify their conduct in treating their fovereign so harshly, and to vindicate themselves from those eximes with which she had charged them. On her part, Elizabeth promised, whatever should be the issue of this inquiry, to employ all her power and influence towards replacing Mary on her throne, under a few limitations by no means unreasonable. Mary, deceived by this seeming atthat an en- tention to her dignity as a queen; foothed, on one hand, by a promife more flattering than any which she had hitherte received from Elizabeth, and urged, on the other, by the feelings which were natural on being conducted into a more interior part of England, and kept there in more rigorous confinement, complied at length with what Elizabeth required, and promised to fend commissioners to the conferences appointed to be held at York c.

Agrees quiry be made into her conduct.

Her diffimulation with regard to religion.

In order to persuade Elizabeth that she defired nothing so much as to render the union between them as close as possible, the shewed a disposition to relax somewhat in one point; with regard to which, during all her past and subsequent misfortunes, the was uniformly inflexible. She expressed a great veneration for the liturgy of the church of England; the was often present at religious worship, according to the rites of the reformed church; made choice of a protestant clergyman to be her chaplain; heard him preach against the errors of popery with attention and feeming pleafure; and discovered all the symptoms of an approaching conversion d. Such was Mary's known and bigotted attachment to the popith religion, that it is impossible to believe her sincere in this part of her conduct; nor can any thing mark more ftrongly the wretchedness of her condition, and the excess of her fears, than that they betrayed her into diffimulation, in a matter concerning which her fentiments were, at all other times, scrupulously delicate.

August 13. A parlia ment in Scotland.

AT this time the regent called a parliament, in order to proceed to the forfeiture of those who refused to acknowledge

Anderf. vol. iv. part. i. 113. Haynes, 509. See Appendix, No. XXVI.

c Anders. vol. iv. part i. p. 11, 12, &c. 109, &c. Haynes, 468, &c. State Trials, edit. Hargrave, i. 90.

ledge the king's authority. The queen's adherents were BOOK alarmed, and Argyll and Huntly, whom Mary had appointed her lieutenants, the one in the fouth, and the other in the north of Scotland, began to affemble forces to obstruct this meeting. Compassion for the queen, and envy at those who governed in the king's name, had added fo much strength to the party, that the regent would have found it difficult to withstand its efforts. But as Mary had submitted her cause to Elizabeth, the could not refuse at her defire, to command her friends to lay down their arms, and to wait patiently until matters were brought to a decision in England. By procuring this ceffation of arms, Elizabeth afforded as feafonable relief to the regent's faction as the had formerly given to the queen's e.

THE regent, however, would not confent, even at Elizabeth's request, to put off the meeting of parliament f. But we may afcribe to her influence, as well as to the eloquence of Maitland, who laboured to prevent the one half of his countrymen from exterminating the other, any appearances of moderation which this parliament discovered in its proceedings. The most violent opponents of the king's government were forfeited; the rest were allowed still to hope for

favour 8.

No fooner did the queen of Scots fubmit her cause to her Elizabeth rival, than Elizabeth required the regent to fend to York requires deputies properly instructed for vindicating his conduct, in the regent presence of her commissioners. It was not without hesita- to defend his conduct. tion and anxiety that the regent confented to this measure. His authority was already established in Scotland, and confirmed by parliament. To fuffer its validity now to be called in question, and subjected to a foreign jurisdiction, was extremely mortifying. To accuse his sovereign before strangers, the ancient enemies of the Scottish name, was an odious talk. To fail in this accufation was dangerous; to fucceed in it was difgraceful. But the strength of the adverse faction daily increased. He dreaded the interpolition of the French king in its behalf. In his fituation, and in a matter which Elizabeth had fo much at heart, her commands were neither to be disputed nor disobeyed h.

THE necessity of repairing in person to York added to the Both the ignominy of the step which he was obliged to take. All his queen and affociates declined the office; they were unwilling to expose he appoint themselves to the odium and danger with which it was easy finners.

1568.

<sup>\*</sup> Anderf. vol. iv. 125.

Buch. 371.

Buch. 372. See Append. No. XXVIII.

V.

1568. Sept. 18.

BOOK to foresee that the discharge of it would be attended, unless he himself consented to share these in common with them, The earl of Morton, Bothwell bishop of Orkney, Pitcairn commendator of Dunfermling, and lord Lindfay, were joined with him in commission. Macgill of Rankeilor, and Balnaves of Hallhill, two eminent civilians, George Buchanan, Murray's faithful adherent, a man whose genius did honour to the age, Maitland, and feveral others, were appointed to attend them as affiftants. Maitland owed this diffinction to the regent's fear, rather than to his affection. He had warmly remonstrated against this measure. He wished his country to continue in friendship with England, but not to become dependant on that nation. He was defirous of reestablishing the queen in some degree of power, not inconfiftent with that which the king possessed; and the regent could not, with fafety, leave behind him a man whose views were fo contrary to his own, and who by his fuperior abilities, had acquired an influence in the nation, equal to that which others derived from the antiquity and power of their families i.

Mary empowered Lefly bishop of Ross, lord Livingston, lord Boyd, lord Herries, Gavin Hamilton commendator of Kilwinning, fir John Gordon of Lochinvar, and fir James Cockburn of Stirling, to appear in her name k.

ELIZABETH nominated Thomas Howard duke of Norfolk, Thomas Ratcliff earl of Suffex, and fir Ralph Sadler, her

commissioners to hear both parties.

The conference at York.

Views of the differ-

ent parties.

THE fourth of October was the day fixed for opening the conference. The great abilities of the deputies on both sides, the dignity of the judges before whom they were to appear, the high rank of the persons whose cause was to be heard, and the importance of the points in dispute, rendered the whole transaction no less illustrious than it was fingular. The situation in which Elizabeth appeared, on this occasion, strikes us with an air of magnificence. Her rival, an independent queen, and the heir of an ancient race of monarchs, was a prisoner in her hands, and appeared, by her ambassadors, before her tribunal. The regent of Scotland; who represented the majesty, and possessed the authority of a king, stood in person at her bar. And the fate of a kingdom, whose power her ancestors had often dreaded, but could never subdue, was now at her disposal.

THE views, however, with which the feveral parties confented

Buch. 371. Anderf. vol. iv. 35. Melv. 186. 188. Anders, vol. iv. 33.

fented to this conference, and the iffue to which they expect- Book

ed to bring it, were extremely different.

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MARY's chief object was the recovering of her former authority. This induced her to confent to a measure against which the had long struggled. Elizabeth's promifes gave her ground for entertaining hopes of being restored to her kingdom; in order to which, she would have willingly made many concessions to the king's party; and the influence of the English queen, as well as her own impatience under her prefent fituation, might have led her to many more '. The regent aimed at nothing but securing Elizabeth's protection to his party, and feems not to have had the most distant thoughts of coming to any composition with Mary. Elizabeth's views were more various, and her schemes more intricate. She feemed to be full of concern for Mary's honour, and folicitous that the should wipe off the aspersions which blemished her character. This she pretended to be the intention of the conference; amusing Mary, and eluding the folicitations of the French and Spanish ambassadors in her behalf, by repeated promifes of affifting her, as foon as the should venture to do fo without bringing difgrace upon herfelf. But under this veil of friendship and generosity, Elizabeth concealed sentiments of a different nature. She expected that the regent would accuse Mary of being accessary to the murder of her hulband. She encouraged him, as far as decency would permit, to take this desperate step m. And as this accusation might terminate in two different ways, the had concerted measures for her future conduct suitable to each of these. If the charge against Mary should appear to be well-founded, the resolved to pronounce her unworthy of wearing a crown, and to declare that she would never burden her own conscience with the guilt of an action so detestable as the restoring her to her kingdom ". If it should happen that what her accusers alledged did not amount to a proof of guilt, but only of mal-administration, she determined to set on foot a treaty for restoring her, but on such conditions as would render her hereafter dependant not only upon England, but upon her own subjects o. As every step in the progress of the conference, as well as the final refult of it, was in Eli-

zabeth's own power, she would still be at liberty to chuse which of these courses she would hold; or if there appeared to be any danger or inconvenience in pursuing either of them, she

1568.

might,

Anders. vol. iv. part ii. 33. Good. vol. ii. 337. m Anderf. vol. iv. part il. 11. 45. Haynes, 487.

<sup>.</sup> Anderf. vol. iv. part ii. 16. Anderf. vol. iv. part ii. II.

BOOR might protract the whole cause by endless delays, and involve

it in inextricable perplexity.

1568. Complaint of the queen's commiffioners against the regent.

THE conference, however, was opened with much folem-But the very first step discovered it to be Elizabeth's nity. intention to enflame, rather than to extinguish, the diffensions and animolities among the Scots. No endeavours were used to reconcile the contending parties, or to mollify the fierceness of their hatred, by bringing the queen to offer pardon for what was past, or her subjects to promise more dutiful October 8. obedience for the future. On the contrary, Mary's commilfioners were permitted to prefer a complaint against the regent and his party, containing an enumeration of their treafonable actions, of their feizing her person by force of arms, committing her to prison, compelling her to refign the crown, and making use of her fon's name to colour their usurpation of the whole royal authority; and of all these enormities they required fuch speedy and effectual redress, as the injuries of one queen demanded from the justice of another.

> IT was then expected that the regent would have disclosed all the circumstances of that unnatural crime to which he pretended the queen had been accessary, and would have produced evidence in support of his charge. But, far from accusing Mary, the regent did not even answer the complaints brought against himself. He discovered a reluctance at undertaking that office, and started many doubts and scruples, with regard to which he demanded to be resolved by Elizabeth herself q. His reserve and hesitation were no less furprifing to the greater part of the English commissioners than to his own affociates. They knew that he could not vindicate his own conduct without charging the murder upon the queen, and he had not hitherto shewn any extraordinary delicacy on that head. An intrigue, however, had been fecretly carried on, fince his arrival at York, which explains this mystery.

Intrigues of Norfolk with the regent.

THE duke of Norfolk was at that time the most powerful and most popular man in England. His wife was lately dead; and he began already to form a project, which he afterwards more openly avowed, of mounting the throne of Scotland, by a marriage with the queen of Scots. He faw the infamy which would be the consequence of a public accusation against Mary, and how prejudicial it might be to her pretensions to the English succession. In order to save her from this cruel mortification, he applied to Maitland, and expressed his aftonishment at seeing a man of so much reputation for wifdom

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1588.

wisdom concurring with the regent in a measure so dis- Book honourable to themselves, to their queen, and to their country; fubmitting the public transactions of the nation to the judgment of foreigners; and publishing the ignominy, and exposing the faults of their fovereign, which they were bound in good policy, as well as in duty, to conceal and to cover. It was easy for Maitland, whose sentiments were the same with the duke's, to vindicate his own conduct. He affured him, that he had employed all his credit to diffuade his countrymen from this measure; and would still contribute, to the utmost of his power, to divert them from it. This encouraged Norfolk to communicate the matter to the regent. He repeated and enforced the fame arguments which he had used with Maitland. He warned him of the danger to which he must expose himself by such a violent action as the public accufation of his fovereign. Mary would never forgive a man, who had endeavoured to fix fuch a brand of infamy on her character. If the ever recovered any degree of power, his destruction would be inevitable, and he would justly merit it at her hands. Nor would Elizabeth screen him from this, by a public approbation of his conduct. For whatever evidence of Mary's guilt he might produce, she was resolved to give no definitive sentence in the cause. Let him only demand that the matter should be brought to a decision immediately after hearing the proof, and he would be fully convinced how false and infidious her intentions were, and, by confequence, how improper it would be for him to appear as the accuser of his own sovereign . The candour which Norfolk feemed to discover in these remonstrances, as well as the truth which they contained, made a He daily received the deep impression on the regent. strongest affurances of Mary's willingness to be reconciled to him, if he abstained from accusing her of such an odious crime, together with the denunciations of her irreconcileable hatred, if he acted a contrary part's. All these considerations concurred in determining him to alter his purpose, and to make trial of the expedient which the duke had fuggefted.

HE demanded therefore to be informed, before he pro- October 9. ceeded farther, whether the English commissioners were empowered to declare the queen guilty by a judicial act; whether they would promife to pass sentence without delay; whether, the queen should be kept under such restraint as to prevent her from disturbing the government now established in Scotland; and whether Elizabeth, if the approved of the

proceedings

<sup>&#</sup>x27; Melv. 187. Haynes, 573.

Auderf. vol. iv. part ii. 77. Good. vol. ii. 157. See Append. No. XXIX.

BOOK proceedings of the king's party, would engage to protect it for the future t. The paper containing these demands was figned by himself alone, without communicating it to any of his attendants, except Maitland and Melvil ". But left fo many precautions should excite any suspicion of their proceeding, from some consciousness of defect in the evidence which he had to produce against his sovereign, Murray empowered Lethington, Macgill, and Buchanan, to wait upon the duke of Norfolk, the earl of Suffex, and Sir Ralph Sadler, and to lay before them, not in their public characters as commissioners, but as private persons, Mary's letters to Bothwell, her formets, and all the other papers upon which were founded the charge of her being accessary to the murder of the king, and to declare that this confidential communication was made to them, with a view to learn whether the queen of England would confider this evidence as fufficient to establish the truth of the accusation. Nothing could be more natural than the regent's folicitude, to know on what footing he stood. To have ventured on a step so uncommon and dangerous, as the accusing his fovereign, without previously ascertaining that he might take it with fafety, would have been unpardonable imprudence. But Elizabeth, who did not expect that he would have moved any fuch difficulty, had not empowered her commissioners to give him that satisfaction which he demanded. It became necessary to transmit the articles to herfelf, and by the light in which Norfolk placed them, it is eafy to fee that he wished that they should make no flight impression on Elizabeth and her ministers. "Think not the Scots," faid he, "over-scrupulous or pre-" cife. Let us view their conduct as we would wish our own to be viewed in a like fituation. The game they play "is deep; their estates, their lives, their honour are at stake.

" It is now in their own power to be reconciled to their " queen, or to offend her irrecoverably; and in a matter of " fo much importance the utmost degree of caution is not excessive x."

WHILE the English commissioners waited for fuller inftructions with regard to the regent's demands, he gave in an answer to the complaint which had been offered in name of the Scottish queen. It was expressed in terms perfectly conformable to the fystem which he had at that time adopted. It contained no infinuation of the queen's being accessary to the murder of her husband; the bitterness of style peculiar to the age was confiderably abated; and though he pleaded,

Anders. vol. iv. part ii. 55. State Trials, i. 91, &c.

<sup>&</sup>quot; Anders. vol. iv. part ii. 56. Melv. 190. \* Anderf. vol. iv. 77.

that the infamy of the marriage with Bothwell made it ne- BOOK ceffary to take arms in order to diffolve it; though Mary's attachment to a man fo odious justified the keeping her for fome time under reftraint; yet nothing more was faid on these subjects than was barely requisite in his own defence. The queen's commissioners did not fail to reply y. But while October 17, the article with regard to the murder remained untouched, these were only skirmishes at a distance, of no consequence towards ending the contest, and were little regarded by Elizabeth or her commissioners.

THE conference, had hitherto, been conducted in a man- The conner which disappointed Elizabeth's views, and produced ference renone of those discoveries which she had expected. The dif-moved to Westmintance between York and London, and the necessity of con- fler. fulting her upon every difficulty which occurred, confumed much time. Norfolk's negotiation with the Scottish regent, however fecretly carried on, was not, in all probability, unknown to a princefs fo remarkable for her fagacity in penetrating the defigns of her enemies, and feeing through their deepest schemes 2. Instead, therefore, of returning any answer to the regent's demands, she resolved to remove the

queen of Scots and the regent were brought without difficulty to approve of this refolution a. We often find Mary boafting of the fuperiority in argument obtained by her commissioners during the conference

conference to Westminster, and to appoint new commissioners, in whom the could more absolutely confide. Both the

at York, and how, by the strength of their reasons, they confounded her adversaries, and silenced all their cavils b. The dispute stood, at that time, on a footing, which rendered her victory not only apparent, but eafy. Her participation of the guilt of the king's murder was the circumstance upon which her subjects ought to have rested, as a justification of their violent proceedings against her; and while they industriously avoided mentioning that, her cause gained as

much as that of her adversaries lost by suppressing this capital argument.

ELIZABETH resolved that Mary should not enjoy the same advantage in the conference to be held at Westminster. She deliberated with the utmost anxiety, how she might overcome the regent's fcruples, and perfuade him to accuse the queen. She confidered of the most proper method for bringing Mary's commissioners to answer such an accusation; and VOL. I.

7 Anders. vol. iv. part ii. 64. 80. 2 Good. vol. ii. 160. Anders. vol. iii. 24. Haynes, 484. Anderf. vol. iv. 94. . Good. vol. i. 186. 284. 350,

B O O K as the forefaw that the promifes with which it was necessary to allure the regent, and which it was impossible to conceal from the Scottish queen, would naturally exasperate her to a great degree, she determined to guard her more narrowly than ever; and though lord Scroop had given her no reason to distrust his vigilance or fidelity, yet because he was the duke of Norfolk's brother-in-law, the thought it proper to remove the queen as foon as possible to Tuthbury in Staffordshire, and commit her to the keeping of the earl of Shrewsbury, to whom that castle belonged c.

Mary's fuspicions of Elizabeth's intentions.

Mary began to suspect the design of this second conference; and notwithstanding the satisfaction she expressed at feeing her cause taken more immediately under the queen's own eyed, she framed her instructions to her commissioners October 21. in fuch a manner, as to avoid being brought under the necessity of answering the accusation of her subjects, if they should be so desperate as to exhibit one against her . These fuspicions were foon confirmed by a circumstance extremely mortifying. The regent having arrived at London, in order to be present at the conference, was immediately admitted into Elizabeth's presence, and received by her, not only with respect, but with affection. This Mary justly considered as an open declaration of that queen's partiality towards her adversaries. In the first emotions of her resentment she wrote to her commissioners, and commanded them to complain, in the presence of the English nobles and before the ambassadors of foreign princes, of the usage she had hitherto met with, and the additional injuries which she had reason to apprehend. Her rebellious subjects were allowed access to the queen, she was excluded from her presence; they enjoyed full liberty, she languished under a long imprisonment; they were encouraged to accuse her, in defending herself she laboured under every difadvantage. For these reasons she once more renewed her demand of being admitted into the queen's presence: and if that were denied, she instructed them to declare, that she recalled the consent which she had given to the conference at Westminster, and protested, that whatever was done there, should be held to be null and in valid f.

Nov. 22. Claims a perfonal audience of Elizabeth.

> This, perhaps, was the most prudent resolution Mary The pretences on which she declined could have taken. the conference were plaufible, and the juncture for offering them well chosen. But either the queen's letter did not

c Haynes, 487.

e Good. vol. ii. 349.

d Anderson, vol. iv. part ii. 95.

f Good. vol. ii. 184.

reach her commissioners in due time, or they suffered them- Book felves to be deceived by Elizabeth's professions of regard for their mistress, and confented to the opening of the conference g. 1568.

To the commissioners who had appeared in her name at Nov. 25. York, Elizabeth now added fir Nicholas Bacon, keeper of the great feal, the earls of Arundel and Leicester, lord Clinton, and fir William Cecil h. The difficulties which obftructed the proceedings at York were quickly removed. fatisfying answer was given to the regent's demands; nor was he fo much disposed to hesitate and raise objections as formerly. His negociation with Norfolk had been discovered to Morton by some of Mary's attendants, and he had communicated it to Cecil i. His personal safety, as well as the continuance of his power, depended on Elizabeth. By favouring Mary, the might at any time ruin him, and by a question which she artfully started, concerning the person who had a right, by the law of Scotland, to govern the kingdom during a minority, she let him see, that, even without restoring the queen, it was an easy matter for her to deprive him of the supreme direction of affairs k. These considerations, which were powerfully seconded by most of his attendants, at length determined the regent to produce his accufation against the queen.

HE endeavoured to lessen the obloquy with which he was The regent fensible this action would be attended, by protesting, that it accuses the was with the utmost reluctance he undertook this disagree- queen of being acable task; that his party had long suffered their conduct to ceffory to be misconstrued, and had borne the worst imputations in her husfilence, rather than expose the crimes of their sovereign to band's the eyes of strangers; but that now the insolence and importunity of the adverse faction forced them to publish what they had hitherto, though with loss to themselves, endeavoured to conceal 1. These pretexts are decent; and the confiderations which he mentions had, during fome time, a real influence upon the conduct of the party; but fince the meeting of parliament held in December, they had difcovered fo' little delicacy and referve with respect to the queen's actions, as renders it impossible to give credit to those studied professions. The regent and his affociates were drawn, it is plain, partly by the necessity of their affairs, and partly by Elizabeth's artifices, into a fituation where no liberty of choice was left to them; and they were obliged either

Anderson, vol. iii. 25.

Haynes, 484.

i Melv. 191. h Id. vol. iv. part ii. 99.

Anderf. vol. iv. part ii. 115.

BOOK either to acknowledge themselves to be guilty of rebellion,
v. or to charge Mary with having been accessory to the commission of murder.

1568.

The accufation itself was conceived in the strongest terms. Mary was charged, not only with having consented to the murder, but with being accessory to the contrivance and execution of it. Bothwell, it was pretended, had been screened from the pursuits of justice by her favour; and she had formed designs no less dangerous to the life of the young prince, than subversive of the liberties and constitution of the kingdom. If any of these crimes should be denied, an offer was made to produce the most ample and undoubted evidence in confirmation of the charge m.

Nov. 29.

AT the next meeting of the commissioners, the earl of Lennox appeared before them; and after bewailing the tragical and unnatural murder of his son, he implored Elizabeth's justice against the queen of Scots, whom he accused upon oath of being the author of that crime, and produced papers, which, as he pretended, would make good what he alleged. The entrance of a new actor on the stage so opportunely, and at a juncture so critical, can scarce be imputed to chance. This contrivance was manifestly Elizabeth's, in order to increase, by this additional accusation, the infamy of the Scottish queen a.

Her commissioners refuse to answer. Dec. 4.

Mary's commissioners expressed the utmost surprise and indignation at the regent's prefumption, in loading the queen with calumnies which, as they affirmed, she had so little merited. But, instead of attempting to vindicate her honour, by a reply to the charge, they had recourse to an article in their instructions, which they had formerly neglected to mention in its proper place. They demanded an audience of Elizabeth; and having renewed their mistress's request of a personal interview, they protested, if that were denied her, against all the future proceedings of the commiffioners o. A protestation of this nature, offered just at the critical time, when fuch a bold accufation had been preferred against Mary, and when the proofs in support of it were ready to be examined, gave reason to suspect that she dreaded the This fuspicion received the event of that examination. ftrongest confirmation from another circumstance; Ross and Herries, before they were introduced to Elizabeth, in order to make this protestation, privately acquainted Leicester and Cecil, that as their mistress had from the beginning discovered an inclination towards bringing the differences between herfelf and

m Anders. vol. iv. part ii. 119. " Id. ibid. 122. Old. ibid. 133. 158, &c.

and her fubjects to an amicable accommodation, fo she was BOOK still defirous, notwithstanding the regent's audacious accufation, that they should be terminated in that manner p.

1568.

Such moderation feems hardly to be compatible with the ftrong refentment which calumniated innocence naturally feels; or with that eagerness to vindicate itself which it always discovers. In Mary's situation, an offer so ill-timed must be considered as a confession of the weakness of her cause. The known character of her commissioners exempts them from the imputation of folly, or the suspicion of treachery. Some fecret conviction, that the conduct of their mistress could not bear fo strict a scrutiny as must be made into it, if they should reply to the accusation preferred by Murray against her, seems to be the most probable motive of this imprudent propofal, by which they endeavoured to avoid

IT appeared in this light to Elizabeth, and afforded her a Dec. 4. pretence for rejecting it. She represented to Mary's commissioners, that in the present juncture, nothing could be fo dishonourable to their mistress as an accommodation; and that the matter would feem to be huddled up in this manner, merely to suppress discoveries, and to hide their shame; nor was it possible that she could be admitted with any decency into her presence, while she lay under the infamy of

fuch a public accufation.

Upon this repulse, Mary's commissioners withdrew; and as they had declined answering, there seemed now to be no further reason for the regent's producing the proofs in support of his charge. But without getting thefe into her hands, Elizabeth's schemes were incomplete; and her artifice for this purpose was as mean, but as successful, as any the had hitherto employed. She commanded her commiffioners to testify her indignation and displeasure at the regent's prefumption, in forgetting fo far the duty of a fubject, as to accuse his sovereign of such atrocious crimes. He, in order to regain the good opinion of fuch a powerful protectress, offered to shew that his accusations were not malicious nor ill grounded. Then were produced and fubmitted to the inspection of the English commissioners, the acts of the Scottish parliament in confirmation of the regent's authority, and of the queen's refignation; the confessions of the persons executed for the king's murder; and the fatal casket which contained the letters, sonnets, and contracts, that have been already mentioned.

BOOK v.

1568. Elizabeth treats Mary with greater rigour. Dec. 14.

As foon as Elizabeth got these into her possession, she laid them before her privy council, to which she joined, on this occasion, several noblemen of the greatest eminence in her kingdom; in order that they might have an opportunity of confidering the mode in which an inquiry of fuch public importance had been hitherto conducted, as well as the amount of the evidence now brought against a person who claimed a preferable right of fuccession to the English crown, In this respectable assembly all the proceedings in the conferences at York and Westminster were reviewed, and the evidence produced by the regent of Scotland against his fovereign was examined with attention. In particular, the letters and other papers faid to be written by the queen of Scots, were carefully compared "for the manner of writing "and orthography," with a variety of letters which Elizabeth had received at different times from the Scottish queen; and as the refult of a most accurate collation, the members of the privy council, and noblemen conjoined with them, declared that no difference between these could be difcovered q. Elizabeth, having established a fact so unfavourable to her rival, began to lay afide the expressions of friendship and respect which she had hitherto used in all her letters to the Scottish queen. She now wrote to her in such terms, as if the prefumptions of her guilt had amounted almost to certainty; she blamed her for refusing to vindicate herself from an accusation which could not be left unanswered, without a manifest injury to her character; and plainly intimated, that unlefs that were done, no change would be made in her present situation. She hoped that such a difcovery of her fentiments would intimidate Mary, who was hardly recovered from the shock of the regent's attack on her reputation, and force her to confirm her refignation of the crown, to ratify Murray's authority as regent, and to confent that both herfelf and her fon should reside in England, under English protection. This scheme Elizabeth had much at heart; she proposed it both to Mary and to her commissioners, and neglected no argument, nor artifice, that could possibly recommend it. Mary faw how fatal this would prove to her reputation, to her pretenfions, and even to her personal safety. She rejected it without hesitation. " Death," faid she, " is less dreadful than such an igno-" minious step. Rather than give away, with my own hands, " the crown which descended to me from my ancestors, I cc will

Anderson, vol. iv. part ii. 170, &c.
Id. ibid. 179. 183. Good. vol. ii. 260.

will part with life; but the last words I utter, shall be BOOK

" those of a queen of Scotland s.

AT the same time she seems to have been sensible how open her reputation lay to cenfure, while she suffered such a public accusation to remain unanswered; and though the conference was now diffolved, the empowered her commiffioners to prefent a reply to the allegations of her enemies, in which the denied, in the strongest terms, the crimes imputed to her; and recriminated upon the regent and his Dec. 24. party, by accusing them of having devised and executed the murder of the king t. The regent and his affociates afferted their innocence with great warmth. Mary continued to infift on a personal interview, a condition which she knew would never be granted ". Elizabeth urged her to vindicate her own honour. But it is evident from the delays, the evalions, and fubterfuges to which both queens had recourse by turns, that Mary avoided, and Elizabeth did not defire to make, any further progress in the inquiry.

THE regent was now impatient to return into Scotland, where his adverfaries were endeavouring, in his absence, to Feb. 2. raise some commotions. Before he set out, he was called the regent into the privy council, to receive a final declaration of Eliza- without efbeth's fentiments. Cecil acquainted him, in her name, that ther apon one hand nothing had been objected to his conduct, which proving or she could reckon detrimental to his honour, or inconsistent ing his conwith his duty; nor had he, on the other hand, produced duct; any thing against his sovereign, on which she could found an unfavourable opinion of her actions; and for this reason she resolved to leave all the affairs of Scotland precisely in the fame situation in which she had found them at the beginning of the conference. The queen's commissioners

were dismissed much in the same manner x.

AFTER the attention of both nations had been fixed fo earnestly upon this conference upwards of four months, such a conclusion of the whole appears at first fight trifling and ridiculous. Nothing, however, could be more favourable to Elizabeth's future schemes. Notwithstanding her seeming but secretimpartiality, she had no thoughts of continuing neuter; nor ly supports was she at any loss on whom to bestow her protection. Be- his party. fore the regent left London, she supplied him with a confiderable fum of money, and engaged to support the king's authority to the utmost of her power, Mary, by her

<sup>\*</sup> Haynes, 497. See Appendix, No. XXX. Good. vol. ii. 274. 301.

\* Good. ii. 285.

\* Good. ii. 315. 333.

\* Thid. 213. Carte, iii. 478.

<sup>×</sup> Good, ii. 315. 333.

BOOK own conduct, fortified this refolution. Enraged at the repeated inflances of Elizabeth's artifice and deceit, which she had discovered during the progress of the conference, and despairing of ever obtaining any succour from her, she endeavoured to rouse her own adherents in Scotland to arms, by imputing fuch defigns to Elizabeth and Murray, as could not fail to inspire every Scotchman with indignation. Murray, the pretended, had agreed to convey the prince her fon into England; to furrender to Elizabeth the places of greatest strength in the kingdom; and to acknowledge the dependence of the Scottish upon the English nation. In return for this, Murray was to be declared the lawful heir of the crown of Scotland; and at the fame time the question with regard to the English succession was to be decided in favour of the earl of Hartford, who had promifed to marry one of Cecil's daughters. An account of these wild and chimerical projects was fpread industriously among the Scots. Elizabeth, perceiving it was calculated on purpose to bring her government into difreputation, laboured to destroy its effects, by a counter-proclamation, and became more difgusted than ever with the Scottish queen 2.

F fforts of herents against him.

THE regent, on his return, found the kingdom in the ut-Mary's ad- most tranquillity. But the rage of the queen's adherents, which had been fuspended in expectation that the conference in England would terminate to her advantage, was now ready to break out with all the violence of civil war. They were encouraged too by the appearance of a leader, whose high quality and pretentions entitled him to great authority in the nation. This was the duke of Chatelherault, who had refided for some years in France, and was now fent over by that court with a small supply of money, in hopes that the presence of the first nobleman in the kingdom would strengthen the queen's party. Elizabeth had detained him in England, for some months, under various pretences, but was obliged at last to suffer him to proceed on his journey. Before his departure, Mary invested him with the high dignity of her lieutenant-general in Scotland, together with the fantastic title of her adopted father.

Feb. 25.

His vigorous conduct breaks her party.

THE regent did not give him time to form his party into any regular body. He affembled an army with his usual expedition, and marched to Glafgow. The followers of Argyll and Huntly, who composed the chief part of the queen's faction, being feated in corners of the kingdom very distant from each other, and many of the duke's

dependants

<sup>&</sup>lt;sup>2</sup> Haynes, 500. 503. See Appendix, No. XXXI.

dependants having been killed or taken in the battle of Lang- B o o K fide, the spirit and strength of his adherents were totally broken, and an accommodation with the regent was the only thing which could prevent the destruction of his estate and vaffals. This was effected without difficulty, and on no unreasonable terms. The duke promised to acknowledge the authority both of the king and of the regent; and to claim no jurisdiction in consequence of the commission which he had received from the queen. The regent bound himfelf to repeal the act which had passed for attainting several of the queen's adherents; to restore all who would submit to the king's government to the possession of their estates and honours; and to hold a convention, wherein all the differences between the two parties should be settled by mutual confent. The duke gave hostages for his faithful performance of the treaty; and, in token of their fincerity, he and lord Herries accompanied the regent to Stirling, and visited the young king. The regent fet at liberty the prisoners taken at Langfide 2.

ARGYLL and Huntly refused to be included in this treaty. A fecret negotiation was carrying on in England, in favour of the captive queen, with fo much fuccess, that her affairs began to wear a better aspect, and her return into her own kingdom feemed to be an event not very distant. The French king had lately obtained fuch advantages over the Hugonots, that the extinction of that party appeared to be inevitable, and France, by recovering domestic tranquillity, would be no longer prevented from protecting her friends in Britain. These circumstances not only influenced Argyll and Huntly, but made so deep an impression on the duke, that he appeared to be wavering and irrefolute, and plainly discovered that he wished to evade the accomplishment of the treaty. The regent faw the danger of allowing the duke to shake himself loose, in this manner, from his engagements; and instantly formed a resolution equally bold and politic. He commanded his guard to feize Chatelherault in his own house in Edinburgh, whither he had come in order to attend the convention agreed upon; and, regardless either of his dignity as the first nobleman in the kingdom, and next heir to the crown, or of the promifes of personal security, on which he had relied, committed him and lord Herries prifoners to the castle of Edinburgh b. A blow fo fatal and unexpected dispirited the party. Argyll submitted to the

1569.

<sup>2</sup> Cabbala, 161. Crawf. Mem. 106.

b Crawf. Mem. 111. Melv. 202.

BOOK king's government, and made his peace with the regent on very eafy terms; and Huntly, being left alone, was at last V.

5 obliged to lay down his arms.

F569. April 16. July 21. A propofal Mary rejefted.

Soon after, lord Boyd returned into Scotland, and brought letters to the regent, both from the English and Scottish queens. A convention was held at Perth, in order to conin favour of fider them. Elizabeth's letter contained three different propofals with regard to Mary; that she should either be restored to the full possession of her former authority; or be admitted to reign jointly with the king her fon; or at least be allowed to refide in Scotland, in some decent retirement, without any share in the administration of government. These overtures were extorted by the importunity of Fenelon the French ambassador, and have some appearance of being favourable to the captive queen. They were, however, perfectly fuitable to Elizabeth's general system with regard to Scottish affairs. Among propositions so unequal and disproportionate, the easily faw where the choice would fall. The two former were rejected; and long delays must neceffarily have intervened, and many difficulties have arisen, before every circumstance relative to the last could be finally adjusted c.

Mary, in her letter demanded that her marriage with Bothwell should be reviewed by the proper judges, and if found invalid, should be dissolved by a legal sentence of divorce. This fatal marriage was the principal fource of all the calamities she had endured for two years; a divorce was the only thing which could repair the injuries her reputation had fuffered by that step. It was her interest to have proposed it early; and it is not easy to account for her long filence with respect to this point. Her particular motive for proposing it at this time began to be so well known, that the demand was rejected by the convention of estates 4. They imputed it not fo much to any abhorrence of Bothwell, as to her eagerness to conclude a marriage with the duke of

Norfolk.

This marriage was the object of that fecret negotiation in England, which we have already mentioned. The fertile and projecting genius of Maitland first conceived this scheme. During the conference at York, he communicated it to the duke himself, and to the bishop of Ross. The former rea-

c Spotfwood, 230.

Norfolk's scheme for marrying the queen of Scots.

d Ibid. 231. In a privy council, held July 30, 1569, this demand was confidered; and, of fifty-one members present, only seven voted to comply with the queen's request. Records Priv. Counc. MS. in the Lyon Office, p. 148,

dily closed with a scheme so flattering to his ambition. The BOOK latter confidered it as a probable device for restoring his mistress to liberty, and replacing her on her throne. Nor was Mary, with whom Norfolk held a correspondence by means of his fifter lady Scroop, averfe from a measure, which would have restored her to her kingdom with so much fplendour. The fudden removal of the conference from York to Westminster suspended, but did not break off this intrigue. Maitland and Ross were still the duke's prompters, and his agents; and many letters and love tokens were ex-

changed between him and the queen of Scots.

BUT as he could not hope, that under an administration fo Conceals it vigilant as Elizabeth's fuch an intrigue could be kept long from Elizaconcealed, he attempted to deceive her by the appearance beth, of openness and candour, an artifice which seldom fails of fuccess. He mentioned to her the rumour which was spread of his marriage with the Scottish queen; he complained of it as a groundless calumny; and disclaimed all thoughts of that kind, with many expressions full of contempt both for Mary's character and dominions. Jealous as Elizabeth was of every thing relative to the queen of Scots, she feems to have credited these professions f. But, instead of discontinuing the negotiation, he renewed it with greater vigour, and admitted into it new affociates. Among these was the regent of Scotland. He had given great offence to Norfolk, by his public accufation of the queen, in breach of the concert into which he had entered at York. He was then ready to return into Scotland. The influence of the duke in the north of England was great. The earls of Northumberland and Westmorland, the most powerful noblemen in that part of the kingdom, threatened to revenge upon the regent the injuries which he had done his fovereign. Murray, in order to fecure a fafe return into Scotland, addreffed himself to Norfolk, and after some apology for his past conduct, he infinuated that the duke's scheme of marrying the queen his fifter was no lefs acceptable to him than beneficial to both kingdoms; and that he would concur with the utmost ardour in promoting so desirable an event . Norfolk heard him with the credulity natural to those who are passionately bent upon any design. He wrote to the two earls to defift from any hostile attempt against Murray, and to that he owed his passage through the northern counties without disturbance,

ENCOURAGED

Camd. 419. Haynes, 573. State Trials, i. 73.

Haynes, 574. State Trials, i. 79, 80. Anderson, iii. 34.

1569. Gains the confert of

mobiles.

ENCOURAGED by his fuccess in gaining the regent, he next attempted to draw the English nobles to approve his defign. The nation began to despair of Elizabeth's marrying. Her jealoufy kept the question with regard to the right of succession undecided. The memory of the civil wars, which had desolated England for more than a century on account the English of the disputed titles of the houses of York and Lancaster, was still recent. Almost all the ancient nobility had perished, and the nation itself had been brought to the brink of destruction in that unhappy contest. The Scottish queen, though her right of fuccession was generally held to be undoubted, might meet with formidable competitors. She might marry a foreign and a popish prince, and bring both liberty and religion into danger. But, by marrying her to an Englishman, a zealous protestant, the most powerful and most universally beloved of all the nobles, an effectual remedy feemed to be provided against all these evils. The greater part of the peers, either directly or tacitly, approved of it, as a falutary project. The earls of Arundel, Pembroke, Leicester, and lord Lumley, subscribed a letter to the Scottish queen, written with Leicester's hand, in which they warmly recommended the match, but infifted, by way of preliminary, on Mary's promife, that she should attempt nothing, in consequence of her pretensions to the English crown, prejudicial to Elizabeth, or to her posterity; that she should consent to a league, offensive and defensive, between the two kingdoms; that she should confirm the present establishment of religion in Scotland; and receive into favour such of her subjects as had appeared in arms against her. Upon her agreeing to themarriage and ratifying these articles, they engaged that the English nobles would not only concur in restoring her immediately to her own throne, but in fecuring to her that of England in reversion. Mary readily confented to all these proposals, except the second, with regard to which she demanded fome time for confulting her ancient ally the French king.h.

THE whole of this negotiation was industriously concealed from Elizabeth. Her jealoufy of the Scottish queen was well known, nor could it be expected that she would willingly come into a measure, which tended so visibly to save the reputation, and to increase the power of her rival. But in a matter of fo much confequence to the nation, the taking a few steps without her knowledge could hardly be reckoned criminal; and while every person concerned, even Mary and Norfolk themselves, declared that nothing should be concluded

cluded without obtaining her consent, the duty and allegi- BOOK ance of subjects seemed to be fully preserved. The greater part of the nobles regarded the matter in this light. Those who conducted the intrigue, had farther and more dangerous views. They faw the advantages which Mary would obtain by this treaty, to be present and certain; and the execution of the promifes which she came under, to be diftant and uncertain. They had early communicated their scheme to the kings of France and Spain, and obtained their approbation . A treaty concerning which they confulted foreign princes, while they concealed it from their own fovereign, could not be deemed innocent. They hoped, however, that the union of fuch a number of the chief persons in the kingdom would render it necessary for Elizabeth to comply; they flattered themselves that a combination so ftrong would be altogether irrefistible; and fuch was their confidence of fuccefs, that when a plan was concerted in the north of England for rescuing Mary out of the hands of her keepers, Norfolk, who was afraid that if the recovered her liberty, her fentiments in his favour might change, used all his interest to diffuade the conspirators from attempting it k.

In this fituation did the affair remain when lord Boyd arrived from England; and, besides the letters which he produced publicly, brought others in cyphers from Norfolk and Throkmorton to the regent and to Maitland. These were full of the most fanguine hopes. All the nobles of England concurred, faid they, in favouring the defign. Every preliminary was adjusted; nor was it possible that a scheme fo deep laid, conducted with fo much art, and supported both by power and by numbers, could miscarry, or be defeated in the execution. Nothing now was wanting but the concluding ceremony. It depended on the regent to haften that, by procuring a fentence of divorce, which would remove the only obstacle that stood in the way. This was expected of him, in confequence of his promife to Norfolk; and if he regarded either his interest or his fame, or even his fafety he would not fail to fulfil these engagements.

But the regent was now in very different circumstances from those which had formerly induced him to affect an approbation of Norfolk's schemes. He saw that the downsal of his own power must be the first consequence of the duke's success; and if the queen, who considered him as the chief author of all her misfortunes, should recover her ancient au-

therity,

i Anderf. vol. iii. 63. k Camd. 420.

Haynes, 520. Spotfw. 230. See Appendix, No. XXXII.

BOOK thority, he could never expect favour, nor scarce hope for impunity. No wonder he declined a step so fatal to himfelf, and which would have established the grandeur of another on the ruins of his own. This refusal occasioned a de-But, as every other circumstance was settled, the bishop of Ross, in the name of his mistress, and the duke, in person, declared, in presence of the French ambassador, their mutual confent to the marriage, and a contract to this purpose was figned, and intrusted to the keeping of the ambaffador m.

August 13. Elizabeth discovers the duke's defeats it.

THE intrigue was now in fo many hands, that it could not long remain a fecret. It began to be whifpered at court; and Elizabeth calling the duke into her presence, design, and expressed the utmost indignation at his conduct, and charged him to lay afide all thoughts of profecuting fuch a dangerous defign. Soon after Leicester, who perhaps had countenanced the project with no other intention, revealed all the circumstances of it to the queen. Pembroke, Arundel, Lumley, and Throkmorton, were confined and examined. Mary was watched more narrowly than ever; and Hastings earl of Huntingdon, who pretended to dispute with the Scottish queen her right to the succession, being joined in commission with Shrewsbury, rendered her imprisonment more intolerable, by the excess of his vigilance and rigour a. The Scottish regent, threatened with Elizabeth's displeasure, meanly betrayed the duke; put his letters into her hands, and furnished all the intelligence in his power o. duke himself retired first to Howard-house, and then, in contempt of the fummons to appear before the privy council, fled to his feat in Norfolk. Intimidated by the imprisonment of his affociates; coldly received by his friends in that country; unprepared for a rebellion; and unwilling perhaps to rebel; he hefitated for fome days, and at last obeyed a fecond call, and repaired to Windsor. He was first October 3. kept as a prisoner in a private house, and then sent to the Tower. After being confined there upwards of nine months, he was released upon his humble submission to Elizabeth, giving her a promife on his allegiance, to hold no farther correspondence with the queen of Scots p. During the progress of Norfolk's negotiations, the queen's partisans in Scotland, who made no doubt of their iffuing in her restoration to the throne, with an increase of authority, were wonderfully elevated. Maitland was the foul of that party,

Maitland imprisoned by the regent.

m Carte, vol. iii. 486.

<sup>.</sup> See Append. No. XXXIII.

<sup>&</sup>quot; Haynes, 525, 526. 530. 532. P Haynes, 525. 597-

and the person whose activity and ability the regent chiefly BOOK dreaded. He had laid the plan of that intrigue which had kindled fuch combustion in England. He continued to foment the spirit of disaffection in Scotland, and had seduced from the regent lord Home, Kirkaldy, and several of his former asfociates. While he enjoyed liberty, the regent could not reckon his own power fecure. For this reason, having by an artifice allured Maitland to Stirling, he employed captain Crawford, one of his creatures, to accuse him of being acceffory to the murder of the king; and under that pretence he was arrested and carried as a prisoner to Edinburgh. He would foon have been brought to trial, but was faved by the friendship of Kirkaldy, governor of the castle, who, by pretending a warrant for that purpose from the regent, got him out of the hands of the person to whose care he was committed, and conducted him into the castle, which from that time was entirely under Maitland's command . The loss of a place of so much importance, and the defection of a man fo eminent for military skill as Kirkaldy, brought the regent into some difreputation, for which, however, the fuccess of his ally Elizabeth, about this time, abundantly compensated.

THE intrigue carried on for restoring the Scottish queen A rebellion to liberty having been discovered and disappointed, an at-against Esttempt was made to the same purpose by force of arms; but Zabeth by the iffue of it was not more fortunate. The earls of Northum-herents. berland and Westmorland, though little distinguished by their personal abilities, were two of the most ancient and powerful of the English peers. Their estates in the northern counties were great, and they possessed that influence over the inhabitants, which was hereditary in the popular and martial families of Percy and of Nevil. They were both attached to the popish religion, and discontented with the court, where new men and a new system prevailed. Ever fince Mary's arrival in England, they had warmly espoused her interest; and zeal for popery, opposition to the court, and commiseration of her fufferings, had engaged them in different plots for her relief. Nothwithstanding the vigilance of her keepers, they held a close correspondence with her, and communicated to her all their defigns. They were privy to Norfolk's schemes; but the caution with which he proceeded did not fuit their ardour and impetuofity. The liberty of the Scottish queen was not their sole object. They aimed at bringing about a change in the religion, and a revolution in the government of the kingdom. For this

Haynes, 595. Murdin, 44. 62, &c. 4 Spotfw. 232.

v. avowed and zealous patron of popery in that age. Nothing could be more delightful to the restless spirit of Philip, or more necessary towards facilitating his schemes in the

lip, or more necessary towards facilitating his schemes in the Netherlands, than the involving England in the confusion and miseries of a civil war. The duke of Alva, by his direction, encouraged the two earls, and promised, as soon as they either took the field with their forces, or surprised any place of strength, or rescued the queen of Scots, that he would supply them both with money and a strong body of troops. La Mothe, the governor of Dunkirk, in the disguise of a failor, sounded the ports where it would be most proper to land. And Chiapini Vitelli, one of Alva's ablest officers, was dispatched into England, on pretence of settling some commercial differences between the two nations; but in reality that the rebels might be sure of a leader of ex-

perience, as foon as they ventured to take arms.

defeated. THE

Nov. 9.

THE conduct of this negotiation occasioned many meetings and meffages between the two earls. Elizabeth was informed of these; and though she suspected nothing of their real defign, she concluded that they were among the number of Norfolk's confidents. They were fummoned, for this reason, to repair to court. Conscious of guilt, and afraid of discovery, they delayed giving obedience. fecond, and more peremptory order was iffued. This they could not decline, without shaking off their allegiance; and as no time was left for deliberation, they inflantly erected their standard against their sovereign. The re-establishing the catholic religion; the fettling the order of fucceffion to the crown; the defence of the ancient nobility; were the motives which they alledged to justify their rebellion. Many of the lower people flocked to them with fuch arms as they could procure; and had the capacity of their leaders been in any degree equal to the enterprise, it must have foon grown to be extremely formidable. Elizabeth acted with prudence and vigour; and was ferved by her fubjects with fidelity and ardour. On the first rumour of an infurrection, Mary was removed to Coventry, a place of strength, which could not be taken without a regular fiege; a detachment of the rebels, which was fent to refcue her, returned without fuccess. Troops were assembled in different parts of the kingdom; as they advanced, the malecontents retired. In their retreat their numbers dwindled away, and their spirits sunk. Despair, and uncertainty whether to direct

<sup>\*</sup> Carte, vol. iii. 489,490. Camd. 421. Strype, vol. i. 547.

direct their flight, kept together for some time a small body BOOK of them among the mountains of Northumberland; but they were at length obliged to disperse, and the chiefs took refuge among the Scottish borderers. The two earls, together with the countess of Northumberland, wandering for some Dec. 21. days in the wastes of Liddisdale, were plundered by the banditti, exposed to the rigour of the season, and left destitute of the necessaries of life. Westmorland was concealed by Scot of Buccleugh and Ker of Ferniherst, and afterwards conveyed into the Netherlands. Northumberland was feized by the regent, who had marched with fome troops towards the borders, to prevent any impression the rebels might make on those mutinous provinces ".

AMIDST fo many furprising events, the affairs of the Church afchurch, for two years, have almost escaped our notice. Its fairs. general affemblies were held regularly; but no bufiness of much importance employed their attention. As the number of the protestant clergy daily increased, the deficiency of the funds fet apart for their fubfiftence became greater, and was more fenfibly felt. Many efforts were made towards recovering the ancient patrimony of the church, or at least as much of it as was possessed by the popish incumbents, a race of men who were now not only useless but burdensome to the nation. But though the manner in which the regent received the addresses and complaints of the general assemblies was very different from that to which they had been accuftomed, no effectual remedy was provided; and while they fuffered intolerable oppression, and groaned under extreme poverty, fair words, and liberal promifes, were all they were able to obtain x.

ELIZABETH now began to be weary of keeping fuch a pri- Elizabeth foner as the queen of Scots. During the former year, the refolves to tranquillity of her government had been disturbed, first by give up a fecret combination of some of her nobles, then by the Mary to rebellion of others; and she often declared, not without reafon, that Mary was the hidden cause of both. Many of her own subjects favoured or pitied the captive queen; the Roman catholic princes on the continent were warmly interested in her cause. The detaining her any longer in England, she forefaw, would be made the pretext or occasion of perpetual cabals and infurrections among the former; and might expose her to the hostile attempts of the latter. She resolved therefore to give up Mary into the hands of the regent, after stipulating with him, not only that her days should Vol. I.

<sup>&</sup>quot; Cabbala, 171. Camd. 422.

<sup>\*</sup> Cald. vol. ii. 80. &c.

BOOK should not be cut short, either by a judicial sentence or by fecret violence, but that she should be treated in a manner fuited to her rank; and, in order to fecure his observance of this, the required that fix of the chief noblemen in the kingdom should be fent into England as hostages v. With respect to the safe custody of the queen, she relied on Murray's vigilance, whose security, no less than her own, depended on preventing Mary from re-ascending the throne. The negociation for this purpose was carried some length, when it was discovered by the vigilance of the bishop of Ross, who, together with the French and Spanish ambassadors, remonstrated against the infamy of such an action, and reprefented the furrendering the queen to her rebellious fubjects, to be the fame thing as if Elizabeth should, by her own authority, condemn her to instant death. This procured a delay; and the murder of the regent prevented the revival of that defign z.

But he is murdered.

HAMILTON of Bothwellhaugh was the person who committed this barbarous action. He had been condemned to death foon after the battle of Langfide, as we have already related, and owed his life to the regent's clemency. But part of his estate had been bestowed upon one of the regent's favourites, who feized his house, and turned out his wife naked, in a cold night, into the open fields, where, before next morning, she became furiously mad. This injury made a deeper impression upon him than the benefit which he had received, and from that moment he vowed to be revenged upon the regent. Party-rage strengthened and inflamed his private refentment. His kinfmen the Hamiltons applauded the enterprise. The maxims of that age justified the most desperate course which he could take to obtain vengeance. He followed the regent for some time, and watched for an opportunity to strike the blow. He resolved at last to wait till his enemy should arrive at Linlithgow, through which he was to pass in his way from Stirling to Edinburgh. He took his fland in a wooden gallery, which had a window towards the street; spread a feather-bed on the floor, to hinder the noise of his feet from being heard; hung up a black cloth behind him, that his shadow might not be observed from without; and after all this preparation, calmly expected the regent's approach, who had lodged during the night in a part of the town not far distant. Some indiffinct information of the danger which threatened him had been conveyed to the regent, and he paid fo much regard to it, that he refolved to return by the

<sup>7</sup> Haynes, 524. 2 Carte, vol. iii. 491. Anderf. vol. iii. 84.

the fame gate through which he had entered, and to fetch BOOK a compass round the town. But as the crowd about the gate was great, and he himself unacquainted with fear, he proceeded directly along the street; and the throng of the people obliging him to move very flowly, gave the affaffin time to take fo true an aim, that he shot him with a single bullet through the lower part of his belly, and killed the horse of a gentleman who rode on his other fide. His followers instantly endeavoured to break into the house whence the blow had come, but they found the door strongly bar-ricaded; and before it could be forced open, Hamilton had mounted a fleet horfe, which stood ready for him at a backpaffage, and was got far beyond their reach. The regent died the fame night of his wound 2.

THERE is no person in that age about whom historians His charachave been more divided, or whose character has been drawn ter. with fuch opposite colours. Personal intrepidity, military skill, fagacity, and vigour in the administration of civil affairs, are virtues, which even his enemies allow him to have possessed in an eminent degree. His moral qualities are more dubious, and ought neither to be praifed nor cenfured without great referve, and many distinctions. In a fierce age he was capable of using victory with humanity, and of treating the vanquished with moderation. A patron of learning, which, among martial nobles, was either unknown or despised. Zealous for religion, to a degree which distinguished him, even at a time when professions of that kind were not uncommon. His confidence in his friends was extreme, and inferior only to his liberality towards them, which knew no bounds. A difinterested passion for the liberty of his country, prompted him to oppose the pernicious fystem which the princes of Lorrain had obliged the queen-mother to purfue. On Mary's return into Scotland, he ferved her with a zeal and affection, to which he facrificed the friendship of those who were most attached to his person. But, on the other hand, his ambition was immoderate; and events happened that opened to him vast projects, which allured his enterprifing genius, and led him to actions inconfistent with the duty of a subject. His treatment of the queen, to whose bounty he was so much indebted, was unbrotherly and ungrateful. The dependence on Elizabeth, under which he brought Scotland, was difgraceful to the nation. He deceived and betrayed Norfolk with a baseness unworthy of a man of honour. His elevation to fuch unexpected

<sup>2</sup> Buchan. 385. Crawf. Mem. 124, Cabbala, 171.

BOOK expected dignity inspired him with new passions, with haugh. tiness and reserve; and instead of his natural manner, which was blunt and open, he affected the arts of diffimulation and refinement. Fond, towards the end of his life, of flattery, and impatient of advice, his creatures, by foothing his vanity, led him aftray, while his ancient friends flood at a distance, and predicted his approaching fall. But amidst the turbulence and confusion of that factious period, he dispensed justice with so much impartiality, he repressed the licentious borderers with fo much courage, and established such uncommon order and tranquillity in the country, that his administration was extremely popular, and he was long and affectionately remembered among the commons, by the name of the Good Regent.

BOOK

## BOOK VI\*.

HE unexpected blow, by which the regent was cut BOOK. off, struck the king's party with the utmost consternation. Elizabeth bewailed his death as the most fatal difafter which could have befallen her kingdom; and was inconfolable to a degree that little fuited her dignity. Mary's Diforders adherents exulted, as if now her restoration were not only occasioned by the recertain, but near at hand. The infamy of the crime natue gent's rally fell on those who expressed such indecent joy at the death. commission of it; and as the affassin made his escape on a horse which belonged to lord Claude Hamilton, and fled dis rectly to Hamilton, where he was received in triumph, it was concluded that the regent had fallen a facrifice to the refentment of the queen's party, rather than to the revenge of a private man. On the day after the murder, Scott of Buccleugh, and Ker of Ferniherft, both zealous abettors of the queen's cause, entered England in an hostile manner, and plundered and burnt the country, the inhabitants of which expected no fuch outrage. If the regent had been alive, they would fearce have ventured on fuch an irregular incursion, nor could it well have happened fo foon after his death, unless they had been privy to the crime.

This was not the only irregularity to which the anarchy that followed the regent's death gave occasion. During such general consusion, men hoped for universal impunity, and broke out into excesses of every kind. As it was im-Stepstaken possible to restrain these without a settled form of government, a convention of the nobles was held, in order to deliberate concerning the election of a regent. The queen's gent. adherents resulted to be present at the meeting, and protested Feb. 12. against its proceedings. The king's own party was irresolute and divided in opinion. Maitland, whom Kirkaldy had set at liberty, and who obtained from the nobles then assembled a declaration acquitting him of the crime which had been laid to his charge, endeavoured to bring about a coalition of the two parties, by proposing to admit the queen to the joint administration of government with her son. Elizabeth, adhering to her ancient system with regard to Scottish assays.

\* In the former editions, the second volume began with Book VI. and the references to the Appendix recommenced with No. I.—It has been thought proper not to vary the numbers of the Appendixes in this edition, that the references of other writers to this work may not be deranged.

VI. 1570.

B o o K laboured, notwithstanding the solicitations of Mary's friends. to multiply, and to perpetuate the factions, which tore in pieces the kingdom. Randolph whom she dispatched into Scotland on the first news of the regent's death, and who was her usual agent for such services, found all parties so exasperated by mutual injuries, and so full of irreconcilable rancour, that it cost him little trouble to inflame their animosity. The convention broke up without coming to any agreement; and a new meeting, to which the nobles of all parties were invited, was appointed on the first of May b.

A coalition of parties attempted in vain.

MEANTIME, Maitland and Kirkaldy, who still continued to acknowledge the king's authority, were at the utmost pains to restore some degree of harmony among their countrymen. They procured, for this purpose, an amicable conference among the leaders of the two factions. But while the one demanded the restoration of the queen, as the only thing which could re-establish the public tranquillity; while the other esteemed the king's authority to be so facred, that it was, on no account, to be called in question or impaired; and neither of them would recede in the least point from their opinions, they feparated without any profpect of concord. Both were rendered more averse from reconcilement, by the hope of foreign aid. An envoy arrived from France with promifes of powerful fuccour to the queen's adherents; and as the civil wars in that kingdom feemed to be on the point of terminating in peace, it was expected that Charles would foon be at liberty to fulfil what he promised. On the other hand, the earl of Sussex was affembling a powerful army on the borders, and its operations could not fail of adding spirit and strength to the king's party c.

Queen's party in possession of Edinburgh.

April 10.

THOUGH the attempt towards a coalition of the factions proved ineffectual, it contributed fomewhat to moderate or fuspend their rage; but they soon began to act with their usual violence. Morton, the most vigilant and able leader on the king's fide, folicited Elizabeth to interpose, without delay, for the fafety of a party fo devoted to her interest, and which stood so much in need of her affistance. chiefs of the queen's factions, affembling at Linlithgow, marched thence to Edinburgh; and Kirkaldy, who was both governor of the castle and provost of the town, prevailed on the citizens, though with fome difficulty, to admit them within the gates. Together with Kirkaldy, the earl of Athole, and Maitland, acceded almost openly to their party; and

<sup>\*</sup> See Appendix, No. 1. e Crawf. Mem. 134.

Crawf. Mem. 131. Calderw. ii. 157-

and the duke and lord Herries, having recovered liberty by BOOK Kirkaldy's favour, refumed the places which they had formerly held in their councils. Encouraged by the acquifition of persons so illustrious by their birth, or so eminent for their abilities, they published a proclamation, declaring their intention to support the queen's authority, and seemed refolved not to leave the city before the meeting of the approaching convention, in which, by their numbers and influence, they did not doubt of fecuring a majority of voices on their fide d.

AT the fame time they had formed a design of kindling Endeavour war between the two kingdoms. If they could engage them to involve in hostilities, and revive their ancient emulation and anti- in a war pathy, they hoped, not only to diffolve a confederacy of great with Engadvantage to the king's cause, but to reconcile their coun-land. trymen to the queen, Elizabeth's natural and most dangerous rival. With this view they had, immediately after the murder of the regent, prompted Scott and Ker to commence hostilities, and had fince instigated them to continue and extend their depredations. As Elizabeth forefaw, on the one hand, the dangerous confequences of rendering this a national quarrel; and resolved, on the other, not to suffer fuch an infult on her government to pass with impunity; she iffued a proclamation, declaring that she imputed the outrages which had been committed on the borders not to the Scottish nation, but to a few desperate and ill-designing persons; that, with the former, she was resolved to maintain an inviolable friendship, whereas the duty which she owed to her own subjects obliged her to chastise the licentiousness of the latter . Suffex and Scroop accordingly entered Scotland, the one on the east, the other on the west borders, and laid waste the adjacent countries with fire and fword f. Fame magnified the number and progress of their troops, and Mary's adherents, not thinking themselves safe in Edinburgh, the inhabitants whereof were ill affected to their cause, retired to Linlithgow. There, by a public pro- April 28. clamation, they afferted the queen's authority, and forbad giving obedience to any but the duke, or the earls of Argyll and Huntly, whom she had constituted her lieutenants in the kingdom.

THE nobles who continued faithful to the king, though King's parconfiderably weakened by the defection of fo many of their ty enter friends, affembled at Edinburgh on the day appointed. Edinburgh They issued a counter-proclamation, declaring such as ap-

peared

Crawf. Mem. 137. Calderw. ii. 176.

f Cabbala, 174-

e Calderw. ii. 181.

·1570.

BOOK peared for the queen enemies of their country; and charging them with the murder both of the late king and of the regent. They could not, however, prefume fo much on their own ftrength as to venture either to elect a regent, or to take the field against the queen's party; but the affistance which they received from Elizabeth, enabled them to do both. By her order fir William Drury marched into Scotland, with a thousand foot and three hundred horse; the king's adherents joined him with a confiderable body of troops, and advancing towards Glasgow, where the adverse party had already begun hostilities by attacking the castle, they forced them to retire, plundered the neighbouring country, which belonged to the Hamiltons, and, after feizing some of their castles, and rasing others, returned to Edinburgh.

Motives of conduct to them.

UNDER Drury's protection, the earl of Lennox returned Elizabeth's into Scotland. It was natural to commit the government with regard of the kingdom to him during the minority of his grandfon. His illustrious birth, and alliance with the royal family of England, as well as of Scotland, rendered him worthy of that honour. His refentment against Mary being implacable, and his estate lying in England, and his family residing there, Elizabeth confidered him as a man who, both from inclination and from interest, would act in concert with her, and ardently wished that he might succeed Murray in the office of regent. But, on many accounts, she did not think it prudent to discover her own fentiments, or to favour his pretensions too openly. The civil wars in France, which had been excited by a pretended zeal for religion, and carried on with a fierceness that did it real dishonour, appeared now to be on the point of coming to an iffue; and after shedding the best blood, and wasting the richest provinces in the kingdom, both parties defired peace with an ardour that facilitated the negotiations which were carrying on for that purpose. Charles IX. was known to be a passionate admirer of Mary's beauty. Nor could he, in honour, fuffer a queen of France, and the most ancient ally of his crown, to languish in her present cruel situation, without attempting to procure her relief. He had hitherto been obliged to fatisfy himself with remonstrating, by his ambaffadors, against the indignity with which she had been treated. But if he were once at full liberty to pursue his inclinations, Elizabeth would have every thing to dread from the impetuosity of his temper and the power of his arms. It therefore became necessary for her to act with fome referve, and not to appear avowedly to countenance the choice

choice of a regent, in contempt of Mary's authority. The BOOK jealoufy and prejudices of the Scots required no lefs manage-Had she openly supported Lennox's claim; had she recommended him to the convention, as the candidate of whom the approved; this might have roufed the independent fpirit of the nobles, and by too plain a discovery of her intention, she might have defeated its success. reasons she hesitated long, and returned ambiguous answers to all the messages which she received from the king's party. A more explicit declaration of her fentiments was at last obtained, and an event of an extraordinary nature feems to have been the occasion of it. Pope Pius V. having issued a bull, whereby he excommunicated Elizabeth, deprived her of her kingdom, and absolved her subjects from their oath of allegiance, Felton, an Englishman, had the boldness to affix it on the gates of the bishop of London's palace. In former ages, a pope, moved by his own ambition, or pride, or bigotry, denounced this fatal fentence against the most powerful monarchs; but as the authority of the court of Rome was now less regarded, its proceedings were more cautious; and it was only when they were roufed by fome powerful prince, that the thunders of the church were ever heard. Elizabeth, therefore, imputed this step, which the pope had taken, to a combination of the Roman catholic princes against her, and suspected that some plot was formed in favour of the Scottish queen. In that event, she knew that the fafety of her own kingdom depended on preferving her influence in Scotland; and in order to strengthen this, she renewed her promifes of protecting the king's adherents, encouraged them to proceed to the election of a regent, and even ventured to point out the earl of Lennox, as the person who had the best title. That honour was accordingly conferred upon him, in a convention of the whole party, held on the 12th of July 8.

THE regent's first care was, to prevent the meeting of the Lennox parliament which the queen's party had fummoned to con- elected re-Having effected that, he marched gent. vene at Linlithgow. against the earl of Huntly, Mary's lieutenant in the north, and forced the garrison which he had placed in Brechin to furrender at discretion. Soon after he made himself master of some other castles. Emboldened by this successful beginning of his administration, as well as by the appearance of a confiderable army, with which the earl of Suffex hovered on the borders, he deprived Maitland of his office of

fecretary,

Spotsw. 240. Cald. ii. 186. See Append. No. II.

BOOK fecretary, and proclaimed him, the duke, Huntly, and other leaders of the queen's party, traitors and enemies of their

country h.

1570.

Elizabeth tion between Mary and her fubjects.

In this desperate situation of their affairs, the queen's ad-Mary's ad- herents had recourse to the king of Spain', with whom herents ne. Mary had held a close correspondence ever since her conwith Spain. finement in England. They prevailed on the duke of Alva to fend two of his officers to take a view of the country, and to examine its coasts and harbours; and obtained from them a small supply of money and arms, which were sent to the earl of Huntly k. But this aid, so disproportionate proposes a to their exigencies, would have availed them little. They treaty of ac-were indebted for their fafety to a treaty, which Elizabeth was carrying on, under colour of restoring the captive queen to her throne. The first steps in this negotiation had been taken in the month of May; but hitherto little progress was made in it. The peace concluded between the Roman catholics and hugonots in France, and her apprehensions that Charles would interpose with vigour in behalf of his fifter-in-law, quickened Elizabeth's motions. She affected to treat her prisoner with more indulgence, she listened more graciously to the folicitations of foreign ambassadors in her favour, and feemed fully determined to replace her on the throne of her ancestors. As a proof of her sincerity, she laboured to procure a ceffation of arms between the two contending factions in Scotland. Lennox, elated with the good fortune which had hitherto attended his administration, and flattering himself with an easy triumph over enemies whose estates were wasted, and their forces dispirited, refused for some time to come into this measure. It was not fafe for him, however, to dispute the will of his pro-A ceffation of hostilities during two months, to commence on the third of September, was agreed upon; and, being renewed from time to time, it continued till the first of April next year 1.

Soon after Elizabeth dispatched Cecil and Sir Walter Mildmay to the queen of Scots. The dignity of these ambassadors, the former her prime minister, the latter chancellor of the exchequer, and one of her ablest counfellors, convinced all parties that the negotiation was ferious, and that the hour of Mary's liberty was now approaching. The propositions which they made to her were advantageous to Elizabeth, but such as a prince in Mary's situation had

h Crawf. Mem. 159. Cald. ii. 198.
h Anderf. iii. 122. Crawf. Mem. 153. i See Append. No. III. 1 Spotfw. 243.

reason to expect. The ratification of the treaty of Edin- Book burgh; the renouncing any pretentions to the English crown, during Elizabeth's own life, or that of her posterity; the adhering to the alliance between the two kingdoms; the pardoning her subjects who had taken arms against her; and her promifing to hold no correspondence, and to countenance no enterprise, that might disturb Elizabeth's government; were among the chief articles. By way of fecunity for the accomplishment of these, they demanded that some persons of rank should be given as hostages, that the prince her fon should reside in England, and that a few castles on the border should be put into Elizabeth's hands. To some of these propositions Mary consented; some she endeavoured to mitigate; and others she attempted to evade. In the mean time, the transmitted copies of them to the pope, to the kings of France and Spain, and to the duke of Alva. She infinuated, that without fome timely and vigorous interpolition in her behalf, she would be obliged to accept of these hard conditions, and to purchase liberty at any price. But the pope was a distant and feeble ally, and by his great efforts at this time against the Turks, his treasury was entirely exhausted. Charles had already begun to meditate that conspiracy against the hugonots, which marks his reign with fuch infamy; and it required much leifure, and perfect tranquillity, to bring that execrable plan to maturity. Philip was employed in fitting out that fleet which acquired so much renown to the Christian arms, by the victory over the infidels at Lepanto; the Moors in Spain threatened an infurrection; and his subjects in the Netherlands, provoked by much oppression and many indignities, were breaking out into open rebellion. All of them, for these different reasons, advised Mary, without depending on their aid, to conclude the treaty on the best terms she could procure m.

Mary accordingly confented to many of Elizabeth's Elizabeth's demands, and discovered a facility of disposition, which pro- artifices in mifed still further concessions. But no concession she could of it. have made, would have satisfied Elizabeth, who, in spite of her repeated professions of fincerity to foreign ambassadors, and notwithstanding the solemnity with which she carried on the treaty, had no other object in it, than to amuse Mary's allies, and to gain time n. After having so long treated a queen, who fled to her for refuge, in fo un-

generous

in Anders. vol. iii. 119, 120.

Digges, Compl. Amb. 78.

VI. 1570.

BOOK generous a manner, she could not now dismiss her with fafety. Under all the disadvantages of a rigorous confinement, Mary had found means to excite commotions in England, which were extremely formidable. What desperate effects of her just refentment might be expected, if the were fet at liberty, and recovered her former power? What engagements could bind her, not to revenge the wrongs which she had suffered, nor to take advantage of the favourable conjunctures that might prefent themselves? Was it possible for her to give such security for her behaviour, in times to come, as might remove all fuspicions and fears? And was there not good cause to conclude, that no future benefits could ever obliterate the memory of past injuries? It was thus Elizabeth reasoned; though the continued to act as if her views had been entirely She appointed feven of her privy counfellors to be commissioners for settling the articles of the treaty; and, as Mary had already named the bishop of Ross and Galloway, and lord Levingston, for her ambassadors, she required the regent to impower proper persons to appear in behalf of the king. The earl of Morton, Pincairn abbot of Dunfermling, and fir James Macgill, were the persons chosen by the regent. They prepared for their journey as flowly as Elizabeth herfelf could have wished. At length they arrived at London, and met the commissioners of the two queens. Mary's ambassadors discovered the strongest inclination to comply with every thing that would remove the obstacles which stood in the way of their mistress's liberty. But when Morton and his affociates were called upon to vindicate their conduct, and to explain the fentiments of their party, they began, in justification of their treatment of the queen, to advance fuch maxims concerning the limited powers of princes, and the natural right of subjects to refift and to controul them, as were extremely shocking to Elizabeth, whose notions of regal prerogative, as has been formerly observed, were very exalted. With regard to the authority which the king now possessed, they declared that they neither had, nor could possibly receive instructions, to confent to any treaty that tended to subvert, or even to impair it in the least degree o. Nothing could be more triffing and ridiculous, than fuch a reply from the commiffioners of the king of Scots to the queen of England. His party depended absolutely on her protection, her hand had feated

157I.

Feb. 19.

feated him on the throne, and to her power he owed the Book continuance of his reign. With the utmost ease she could vi. have brought them to hold very different language; and whatever conditions she might have thought fit to prescribe, 1571. they would have had no other choice but to fubmit. This declaration, however, the affected to confider as an infuperable difficulty; and finding that there was no reason to it proves dread any danger from the French king, who had not dif-fruitless covered that eagerness in support of Mary, which was expected, the reply made by Morton furnished her with March 24 a pretence for putting a stop to the negotiation, until the regent should fend ambassadors with more ample powers. Thus, after being amused for ten months with the hopes of liberty, the unhappy queen of Scots remained under stricter custody than ever, and without any prospect of escaping from it; while those subjects who still adhered to her were exposed, without ally or protector, to the rage of enemies, whom their fuccesses in this negotiation rendered still more infolent P.

On the day after the expiration of the truce, which had Dunbarton been observed with little exactness on either side, captain castle sur-Crawford of Jordan-hill, a gallant and enterprifing officer, prifed by the regent. performed a fervice of great importance to the regent, by furprifing the castle of Dunbarton. This was the only fortified place in the kingdom, of which the queen had kept possession ever since the commencement of the civil wars. Its situation on the top of an high and almost inaccessible rock, which rifes in the middle of a plain, rendered it extremely strong, and, in the opinion of that age, impregnable; as it commanded the river Clyde it was of great consequence, and was deemed the most proper place in the kingdom for landing any foreign troops that might come to Mary's aid. The strength of the place rendered lord Fleming, the governor, more fecure than he ought to have been, confidering its importance. A foldier who had ferved in the garrison, and had been disgusted by some ill usage, proposed the scheme to the regent, endeavoured to demonstrate that it was practicable, and offered himself to go the foremost man on the enterprise. It was thought prudent to risk any dagner for fo great a prize. Scaling-ladders, and whatever elfe might be necessary, were prepared with the utmost secrecy and dispatch. All the avenues to the castle were seized, that no intelligence of the defign might reach the governor. Towards evening Crawford marched from Glasgow with a small

BOOK but determined band. By midnight they arrived at the bottom of the rock. The moon was fet, and the sky, which 1571.

hitherto had been extremely clear, was covered with a thick fog.. It was where the rock was highest that the assailants made their attempt, because in that place there were few centinels, and they hoped to find them least alert. first ladder was scarcely fixed, when the weight and eagernefs of those who mounted, brought it to the ground. None of the affailants were hurt by the fall, and none of the garrison alarmed at the noise. Their guide and Crawford scrambled up the rock, and fastened the ladder to the roots of a tree which grew in a cleft. This place they all reached with the utmost difficulty, but were still at a great distance from the foot of the wall. Their ladder was made fast a fecond time; but in the middle of the afcent they met with an unforeseen distinctly. One of their companions was feized with fome fudden fit, and clung, feemingly without life, to the ladder. All were at a stand. It was impossible to pass him. To tumble him headlong was cruel; and might occasion a discovery. But Crawford's presence of mind did not forfake him. He ordered the foldier to be bound fast to the ladder, that he might not fall when the sit was over; and turning the other fide of the ladder, they mounted with these over his belly. Day now began to break, and there still remained a high wall to scale; but after furmounting fo many great difficulties, this was foon accomplished. A centry observed the first man who appeared on the parapet, and had just time to give the alarm, before he was knocked on the head. The officers and foldiers of the garrison ran out naked, unarmed, and more solicitous about their own fafety, than capable of making relistance. The affailants rushed forwards, with repeated shouts and with the utmost fury; took possession of the magazine; seized the cannon; and turned them against their enemies. Lord Fleming got into a small boat, and fled all alone into Argylethire. Crawford, in reward of his valour and good conduct, remained mafter of the castle; and as he did not lose a single man in the enterprife, he enjoyed his fuccess with unmixed Lady Fleming, Verac the French envoy, and Hamilton arehbishop of St. Andrew's, were the prisoners of greatest distinction 4.

VERAC's character protected him from the usage which he Archbishop werked by his activity in stirring up enemies against the drew's put king. The regent treated the lady with great politeness and humanity.

to death by him.

humanity. But a very different fate awaited the archbishop; BOOK he was carried under a strong guard to Stirling; and as be had formerly been attainted by act of parliament, he was, without any formal trial, condemned to be hanged; and on the fourth day after he was taken, the fentence was executed. An attempt was made to convict him of being acceffary to the murder both of the king and regent, but thefe accufations were supported by no proof. Our historians obferve, that he was the first bishop in Scotland who died by the hands of the executioner. The high offices he had enjoved, both in church and state, ought to have exempted him from a punishment inflicted only on the lowest criminals. But his zeal for the queen, his abilities, and his profession, rendered him odious and formidable to the king's adherents. Lennox hated him as the person by whose counfels the reputation and power of the house of Hamilton were supported. Party rage and personal enmity dictated that indecent fentence, for which some colour was fought, by imputing to him fuch odious crimes .

THE loss of Dunbarton, and the severe treatment of the Kirkala archbishop, perplexed no less than they enraged the queen's defends the party; and hostilities were renewed with all the fierceness castle of Edinburgh which disappointment and indignation can inspire. Kirkaldy, in the who, during the truce had taken care to increase the num-queen's ber of his garrison, and to provide every thing necessary for name, his defence, iffued a proclamation declaring Lennox's authority to be unlawful and usurped; commanded all who favoured his cause to leave the town within fix hours; seized the arms belonging to the citizens; planted a battery on the steeple of St. Giles's, repaired the walls, and fortified the gates of the city; and, though the affections of the inhabitants leaned a different way, held out the metropolis against the regent. The duke, Huntly, Home, Herries and other chiefs of that faction, repaired to Edinburgh with their followers; and having received a small sum of money and some ammunition from France, formed no contemptible army within the walls. On the other fide, Morton feized Leith and fortified it; and the regent joined him with a considerable body of men. While the armies lay fo near each other, daily skirmishes happened, and with various success. The queen's party was not strong enough to take the field against the regent, nor was his superiority so great as to undertake the fiege of the castle or of the town s.

Some time before Edinburgh fell into the hands of his Both parenemies, the regent had fummoned a parliament to meet in ties hold

that parlia-ments.

VI.

1571. May 14.

BOOK that place. In order to prevent any objection against the lawfulness of the meeting, the members obeyed the proclamation as exactly as possible; and assembled in a house at the head of the Canongate, which, though without the walls, lies within the liberties of the city. Kirkaldy exerted himself to the utmost to interrupt their meeting; but they were fo strongly guarded, that all efforts were in vain. They passed an act attainting Maitland and a few others, and then adjourned to the 28th of August .

THE other party, in order that their proceedings might be countenanced by the same shew of legal authority, held a meeting of parliament foon after. There was produced in this affembly a declaration by the queen, of the invalidity of that deed whereby fhe had refigned the crown, and confented to the coronation of her fon. Conformable to this declaration, an act was passed, pronouncing the resignation to have been extorted by fear; to be null in itself, and in all its confequences; and enjoining all good fubjects to acknowledge the queen alone to be their lawful fovereign, and to support those who acted in her name. The present establishment of the protestant religion was confirmed by another statute; and, in imitation of the adverse party, a new meeting was appointed on the 26th of August u.

MEANWHILE all the miseries of civil war desolated the kingdom. Fellow-citizens, friends, brothers took different fides, and ranged themselves under the standards of the contending factions. In every county, and almost in every town and village, King's men and Queen's men were names of distinction. Political hatred dissolved all natural ties, and extinguished the reciprocal good-will and confidence which hold mankind together in fociety. Religious zeal mingled itself with these civil distinctions, and contributed not a

little to heighten and to inflame them.

kingdom.

of the

Miserable condition

> THE factions which divided the kingdom, were in appearance, only two. But in both thefe there were perfons with views and principles fo different from each other, that they ought to be extinguished. With some, considerations of religion were predominant, and they either adhered to the queen, because they hoped by her means to re-establish popery, or they defended the king's authority, as the best support of the protestant faith. Among these the opposition was violent and irreconcilable. Others were influenced by political motives only, or allured by views of interest; the regent

State of factions.

regent aimed at uniting these, and did not despair of gaining B o o K by gentle arts many of Mary's adherents to acknowledge the king's authority. Maitland and Kirkaldy had formed the fame defign of a coalition, but on fuch terms that the queen might be restored to some share in the government, and the kingdom shake off its dependence upon England. Morton, the ablest, the most ambitious, and the most powerful man of the king's party, held a particular course; and moving only as he was prompted by the court of England, thwarted every measure that tended towards a reconcilement of the factions; and as he ferved Elizabeth with much fidelity, he derived both power and credit from her avowed protection.

THE time appointed by both parties for the meeting of their parliaments now approached. Only three peers and two bishops appeared in that which was held in the queen's name at Edinburgh. But, contemptible as their numbers were, they passed an act for attainting upwards of two hundred of the adverse faction. The meeting at Stirling was numerous and splendid. The regent had prevailed on the earls of Argyll, Eglinton, Cassils, and lord Boyd, to acknowledge the king's authority. The three earls were among the most powerful noblemen in the kingdom, and had hitherto been zealous in the queen's cause. Lord Boyd had been one of Mary's commissioners at York and Westminster, and fince that time had been admitted into all her most fecret But, during that turbulent period, the conduct of individuals, as well as the principles of factions, varied fo often, that the fense of honour, a chief preservative of confiftence in character, was entirely loft; and, without any regard to decorum, men fuddenly abandoned one party, and adopted all the violent passions of the other. The defection, however, of fo many persons of distinction not only weakened the queen's party, but added reputation to her adverfaries.

AFTER the example of the parliament at Edinburgh, that The king's at Stirling began with framing acts against the opposite fac- party furtion. But in the midst of all the security, which considence prised in in their own numbers or distance from danger could inspire, they were awakened, early on the morning of September the Sept. 3. third, by the shouts of the enemy in the heart of the town. In a moment the houses of every person of distinction were furrounded, and before they knew what to think of fo strange an event, the regent, the earls of Argyll, Morton, Glencairn, Cassils, Eglinton, Montrose, Buchan, the lords Sempil, Cathcart, Ogilvie, were all made prisoners and mounted Vol. I.

BOOK mounted behind troopers, who were ready to carry them I571.

to Edinburgh. Kirkaldy was the author of this daring enterprise; and if he had not been induced by the ill-timed folicitude of his friends about his fafety, not to hazard his own person in conducting it, that day might have terminated the contest between the two factions, and have restored peace to his country. By his direction, four hundred men, under the command of Huntly, lord Claud Hamilton, and Scott of Buccleugh, fet out from Edinburgh, and, the better to conceal their defign, marched towards the fouth. But they foon wheeled to the right, and horses having been provided for the infantry, rode straight to Stirling. By four in the morning they arrived there; not one fentry was posted on the walls, not a fingle man was awake about the place. They met with no resistance from any person whom they attempted to feize, except Morton. He defending his house with obstinate valour, they were obliged to set it on fire, and he did not furrender till forced out of it by the In performing this, some time was confumed: and the private men, unaccustomed to regular discipline, left their colours, and began to rifle the houses and shops of the citizens. The noise and uproar in the town reached the castle. The earl of Mar sallied out with thirty soldiers; fired briskly upon the enemy, of whom almost none but the officers kept together in a body. The townsmen took arms to affift their governor; a fudden panic struck the affailants; some fled, some surrendered themselves to their own prisoners; and had not the borderers, who followed Scott, prevented a pursuit, by carrying off all the horses within the place, not a man would have escaped. If the regent had not unfortunately been killed, the loss on the king's fide would have been as inconfiderable as the alarm was great. The regent Think on the archbishop of St. Andrew's, was the word among the queen's foldiers; and Lennox fell a facrifice to his memory. The officer to whom he furrendered, endeavouring to protect him, loft his own life in his defence. He was flain, according to the general opinion, by command of lord Claud Hamilton. Kirkaldy had the glory of concerting this plan with great fecrecy and prudence; but Morton's fortunate obstinacy, and the want of discipline among his troops, deprived him of fuccefs, the only thing wanting to render this equal to the most applauded military enterprises of the kind x. As

killed.

As fo many of the nobles were affembled, they proceeded BOOK without delay to the election of a regent. Argyll, Morton, and Mar, were candidates for the office. Mar was chosen by a majority of voices. Amidst all the sierce dissensions Marchosen which had prevailed fo long in Scotland, he had diftin-regent, guished himself by his moderation, his humanity, and his Sept. 6. difinterestedness. As his power was far inferior to Argyll's, and his abilities not fo great as Morton's, he was, for thefe reasons, less formidable to the other nobles. His merit, too, in having fo lately refcued the leaders of the party from imminent destruction, contributed not a little to his preferment.

WHILE these things were carrying on in Seotland, the Proceedtransactions in England were no less interesting to Mary, ingsin Engand still more fatal to her cause. The parliament of that land against kingdom, which met in April, passed an act, by which it was declared to be high treason to claim any right to the crown during the life of the queen; to affirm that the title of any other person was better than hers, or to maintain that the parliament had not power to fettle and to limit the order of fuccession. This remarkable statute was intended not only for the fecurity of their own fovereign, but to curb the restless and intriguing spirit of the Scottish

queen and her adherents y.

AT this time a treaty of marriage between Elizabeth and Marriage the duke of Anjou the French king's brother, was well ad-negotiated vanced. Both courts seemed to desire it with equal ardour, and Eiizabeth gave out, with the utmost confidence, that it could not fail and the of taking place. Neither of them, however, wished it suc-duke of cess; and they encouraged it for no other end, but because Anjou. it ferved to cover or to promote their particular defigns. The whole policy of Catherine of Medicis was bent towards the accomplishment of her detestable project for the destruction of the Hugonot chiefs; and by carrying on a negotiation for the marriage of her fon with a princefs who was justly esteemed the protectress of that party, by yielding fome things in point of religion, and by discovering an indifference with regard to others, she hoped to amuse all the protestants in Europe, and to lull asleep the jealousy even of the Hugonots themselves. Elizabeth flattered herfelf with reaping advantages of another kind. During the dependence of the negotiation, the French could not with decency give any open affiftance to the Scottish queen; if they conceived any hopes of fuccess in the treaty of mar-Y 2 riage,

Norfolk's

conspiracy

Mary;

in favour of

BOOK riage, they would of course interest themselves but coldly in her concerns: Mary herfelf must be dejected at losing an ally, whom she had hitherto reckoned her most powerful protector; and by interrupting her correspondence with France, one source, at least, of the cabals and intrigues which disturbed the kingdom would be stopt. Both queens fucceeded in their schemes. Catherine's artifices imposed on Elizabeth, and blinded the Hugonots. The French discovered the utmost indifference about the interest of the Scottish queen; and Mary, considering that court as already united with her rival, turned for protection with more eagerness than ever towards the king of Spain z. Philip, whose dark and thoughtful mind delighted in the mystery of intrigue, had held a fecret correspondence with Mary for fome time, by means of the bishop of Ross, and had supplied both herfelf and her adherents in Scotland with small sums of money. Ridolphi, a Florentine gentleman, who refided at London under the character of a banker, and who acted privately as an agent for the pope, was the person whom the bishop intrusted with this negotiation. Mary thought it necessary likewise to communicate the secret to the duke of Norfolk, whom Elizabeth had lately restored to liberty, upon his folemn promife to have no further intercourse with the queen of Scots. This promise, however, he regarded fo little, that he continued to keep a conftant correspondence with the captive queen; while she laboured to nourish his ambitious hopes, and to strengthen his amorous attachment by letters written in the fondest careffing Some of these he must have received at the very time when he made that folemn promife of holding no farther intercourse with her, in consequence of which Elizabeth restored him to liberty. Mary, still considering him as her future husband, took no step in any matter of moment without his advice. She early communicated to him her negotiations with Ridolphi; and in a long letter, which she wrote to him in cyphers a, after complaining of the baseness with which the French court had abandoned her interest, the declared her intention of imploring the affiftance of the Spanish monarch, which was now her only resource; and recommended Ridolphi to his confidence, as a person capable both of explaining and advancing the scheme. The duke commanded Hickford, his fecretary, to decypher, and then to burn this letter; but whether he had been already gained

2 Digges, 144. 148. Camb. 434.

<sup>&</sup>lt;sup>2</sup> Haynes, 597, 598. Hardw. State Papers, i. 190, &c. Digges Compleat Ambaf. 147.

gained by the court, or resolved at that time to betray his BOOK mafter, he disobeyed the latter part of the order, and hid the letter, together with other treasonable papers, under the duke's own bed. 1571.

RIDOLPHI, in a conference with Norfolk, omitted none of those arguments, and spared none of those promises, which are the usual incentives to rebellion. The pope, he told him, had a great fum in readiness to bestow in so good a cause. The duke of Alva had undertaken to land ten thousand men not far from London. The catholics to a man would rife in arms. Many of the nobles were ripe for a revolt, and wanted only a leader. Half the nation had turned their eyes towards him, and called on him to revenge the unmerited injuries which he himself had suffered; and to rescue an unfortunate queen, who offered him her hand and her crown, as the reward of his fuccess. Norfolk approved of the defign, and though he refused to give Ridolphi any letter of credit, allowed him to use his name in negotiating with the pope and Alva b. The bishop of Ross, who, from the violence of his temper, and impatience to procure relief for his mistress, was apt to run into rash and desperate designs, advised the duke to affemble secretly a few of his followers, and at once to feize Elizabeth's perfon. But this the duke rejected as a scheme equally wild and hazardous. Meanwhile, the English court had received discovered fome imperfect information of the plot, by intercepting one by Elizaof Ridolphi's agents; and an accident happened, which August. brought to light all the circumstances of it. The duke had employed Hickford to transmit to lord Herries some money, which was to be distributed among Mary's friends in Scotland. A person not in the secret was intrusted with conveying it to the borders, and he, suspecting it from the weight to be gold, whereas he had been told that it was filver, carried it directly to the privy council. The duke, his domestics, and all who were privy, or could be suspected of being privy, to the defign, were taken into cuftody. Never did the accomplices in a conspiracy discover less firmness, or fervants betray an indulgent master with greater baseness. Every one confessed the whole of what Sept. 7. he knew. Hickford gave directions how to find the papers which he had hidden. The duke himself, relying at first on the fidelity of his affociates, and believing all dangerous. papers to have been destroyed, confidently afferted his own innocence; but when their depositions and the papers them-

BOOK selves were produced, astonished at their treachery, he acknowledged his guilt, and implored the queen's mercy. His offence was too heinous, and too often repeated, to obtain pardon; and Elizabeth thought it necessary to deter her subjects, by his punishment, from holding correspondence with the queen of Scots, or her emissaries. Being tried by his peers, he was found guilty of high treason, and, after

feveral delays, fuffered death for the crime .

THE discovery of this conspiracy produced many effects, extremely detrimental to Mary's interest. The bishop of Ross, who appeared, by the confession of all concerned, to be the prime mover in every cabal against Elizabeth, was taken into custody, his papers searched, himself committed to the Tower, treated with the utmost rigour, threatened with capital punishment, and, after a long confinement, set at liberty, on condition that he should leave the kingdom. Mary was not only deprived of a fervant, equally eminent for his zeal and his abilities, but was denied from that time the privilege of having an ambaffador at the English court. The Spanish ambassador, whom the power and dignity of the prince he represented exempted from such infults as Rofs had fuffered, was commanded to leave England d. As there was now the clearest evidence that Mary, from resentment of the wrongs she had suffered, and impatience of the captivity in which she was held, would not scruple to engage in the most hostile and desperate enterprises against the established government and religion, she began to be regarded as a public enemy, and was kept under a stricter guard than formerly, the number of her domestics abridged, and no person permitted to see her, but in presence of her keepers c.

Elizabeth declares openly against the queen's party.

Oa. 23.

AT the same time, Elizabeth, foreseeing the storm which was gathering on the continent against her kingdom, began to wish that tranquillity were restored in Scotland; and irritated by Mary's late attempt against her government, she determined to act, without difguife or ambiguity, in favour of the king's party. This resolution she intimated to the leaders of both factions. Mary, she told them, had held fuch a criminal correspondence with her avowed enemies, and had excited fuch dangerous conspiracies both against her crown and her life, that she would henceforth consider her as unworthy of protection, and would never confent to restore her to liberty, far less to replace her on her throne. She exhorted them, therefore, to unite in acknowledging

the

Anders. iii. 149. State Trials, 185.

Strype, Ann. ii. 50.

d Digges, 163.

the king's authority. She promised to procure by her me- BOOK diation equitable terms for those who had hitherto opposed But if they still continued refractory, she threatened to employ her utmost power to compel them to fubmit f. Though this declaration did not produce an immediate effect; though hostilities continued in the neighbourhood of Edinburgh; though Huntly's brother, fir Adam Gordon, by his bravery and good conduct, had routed the king's adherents in the North in many encounters; yet fuch an explicit discovery of Elizabeth's sentiments contributed not a little to animate one party, and to depress the spirit and hopes of the other 8.

1571.

As Morton, who commanded the regent's forces, lay at Leith, and Kirkaldy still held out the town and castle of Hostilities Edinburgh, scarce a day passed without a skirmish; and while carried on between both avoided any decifive action, they haraffed each other by them. attacking fmall parties, beating up quarters, and intercepting convoys. These operations, though little memorable in themselves, kept the passions of both factions in perpetual exercise and agitation, and wrought them up, at last, to a degree of fury, which rendered them regardless not only of the laws of war, but of the principles of humanity. Nor was it in the field alone, and, during the heat of combat, that this implacable rage appeared; both parties hanged the prisoners they took, of whatever rank or quality, without mercy, and without trial. Great numbers fuffered in this shocking manner; and the unhappy victims were led, by fifties at a time, to execution; and it was not till both fides had fmarted feverely, that they discontinued this barbarous practice, fo reproachful to the character of the nation h. Meanwhile, those in the town and castle, though they had received a fupply of money from the duke of Alva i, began to fuffer for want of provisions. As Morton had destroyed all the mills in the neighbourhood of the city, and had planted fmall garrifons in all the houses of strength around it, scarcity daily increased. At last all the miseries of famine were felt, and they must have been soon reduced to such extremities, as would have forced them to capitulate, if the English and French ambassadors had not procured a suspension of hostilities between the two parties k.

Though the negotiation for a marriage between Elizabeth League and the duke of Anjou had been fruitless, both Charles and between fhe were defirous of concluding a defensive alliance between and France. the two crowns. He confidered fuch a treaty, not only as

See Append. No. IV.

h Crawf. Mem. 218. 220.

g Cald. ii. 289. 294. Strype, ii. 76.

i Cald. ii. 345. \* Ibid. 346.

BOOK the best advice for blinding the protestants, against whom the VI.

1572.

April II.

conspiracy was now almost ripe for execution; but as a good precaution, likewife, against the dangerous consequences to which that atrocious measure might expose him. Elizabeth, who had hitherto reigned without a fingle ally, now faw her kingdom fo threatened with intestine commotions, or exposed to invasions from abroad, that she was extremely solicitous to fecure the affiftance of fo powerful a neighbour. The difficulties arising from the situation of the Scottish queen were the chief occasions of any delay. Charles demanded some terms of advantage for Mary and her party. Elizabeth refused to listen to any proposition of that kind. Her obstinacy overcame the faint efforts of the French monarch. Mary's name was not fo much as mentioned in the treaty; and with regard to Scottish affairs, a short article was inserted, in general and ambiguous terms, to this purpose: "That the parties contracting shall make no innovations in Scotland; nor fuffer any stranger to enter, and to foment the factions there; but it shall be lawful for the queen of England to chastife, by force of arms, those Scots who shall continue to harbour the English rebels now in Scotland 1." consequence of this treaty, France and England affected to act in concert with regard to Scotland, and Le Croc and fir William Drury appeared there, in the name of their respective fovereigns. By their mediation, a truce for two months was agreed upon, and during that time conferences were to be held between the leaders of the opposite factions, in order to accommodate their differences and restore peace to the kingdom. This truce afforded a feafonable interval of tranquillity to the queen's adherents in the South: but in the North it proved fatal to her interest. Sir Adam Gordon had still maintained his reputation and superiority there. Several parties, under different officers, were fent against him. Some of them he attacked in the field; against others he employed stratagem; and as his courage and conduct were equal, none of his enterprises failed of success. He made war too with the humanity which became fo gallant a man, and gained ground by that, no less than by the terror of his arms. If he had not been obliged by the truce to suspend his operations, he would in all probability have brought that part of the kingdom to fubmit entirely to the queen's autho-

Proceedings in England against Mary.

rity m.

NOTWITHSTANDING Gordon's bravery and fucces, Mary's interest was on the decline, not only in her own kingdom,

but among the English. Nothing could be more offensive to B o o K that nation, jealous of foreigners, and terrified at the profpect of the Spanish yoke, than her negociations with the duke of Alva. The parliament, which met in May, proceeded against her as the most dangerous enemy of the kingdom; and after a folemn conference between the lords and commons, both houses agreed in bringing in a bill to declare her guilty of high treason, and to deprive her of all right of fuccession to the crown. This great cause, as it was then called, occupied them during the whole fession, and was carried on with much unanimity. Elizabeth, though fhe applauded their zeal, and approved greatly of the course they were taking, was fatisfied with shewing Mary what she might expect from the refentment of the nation; but as the did not yet think it time to proceed to the most violent extremity against her, she prorogued the parliament ".

THESE fevere proceedings of the English parliament were The not more mortifying to Mary, than the coldness and neglect French neof her allies the French. The duke of Montmorency, in- gledt her interest. deed, who came over to ratify the league with Elizabeth, made a shew of interesting himself in favour of the Scottish queen; but, instead of soliciting for her liberty, or her reftoration to her throne, all that he demanded was a flight mitigation of the rigour of her imprisonment. Even this small request he urged with so little warmth or opportunity, that

no regard was paid to it o.

THE alliance with France afforded Elizabeth much fatis- The maffafaction, and she expected from it a great increase of security. cre of Pa-She now turned her whole attention towards Scotland, ris. where the animofities of the two factions were still so high, and so many interfering interests to be adjusted, that a general pacification feemed to be at a great distance. But while she laboured to bring them to some agreement, an event happened which filled a great part of Europe with aftonishment and with horror. This was the massacre of Paris; an attempt to which there is no parallel in the history of mankind, either for the long train of craft and diffimulation with which it was contrived, or for the cruelty and barbarity with which it was carried into execution. By the most folemn promifes of fafety and of favour, the leaders of the protestants were drawn to court; and though doomed to destruction, they were received with careffes, loaded with honours, and treated, for feven months, with every possible mark of familiarity and of confidence. In the midst of their August 24. fecurity,

<sup>&</sup>quot; D'Ewes, Journ. 206, &c.

1572

BOOK fecurity, the warrant for their destruction was issued by their fovereign, on whose word they had relied; and, in obedience to it, their countrymen, their fellow-citizens, and companions, imbrued their hands in their blood. Ten thousand protestants, without distinction of age, or fex, or condition, were murdered in Paris alone. The fame barbarous orders were fent to other parts of the kingdom, and a like carnage enfued. This deed, which no populh writer, in the present age, mentions without detestation, was at that time applauded in Spain; and at Rome folemn thankfgivings were offered to God for its fuccefs. But among the protestants, it excited incredible horror; a striking picture of which is drawn by the French ambassador at the court of England, in his account of his first audience after the massacre. " A gloomy forrow," fays he, "fat on every face; filence, as in the dead of night, reigned through all the chambers of the the royal apartment; the ladies and courtiers were ranged on each fide, all clad in deep mourning, and as I paffed through them, not one bestowed on me a civil look, or made the least return to my falutes P."

Detrimental to Mary's intereft.

Bur horror was not the only passion with which this event inspired the protestants; it filled them with fear. They confidered it as the prelude to fome greater blow, and believed, not without much probability, that all the popifh princes had conspired the destruction of their sect. This opinion was of no small differvice to Mary's affairs in Scotland. Many of her adherents were protestants; and, though they wished her restoration, were not willing, on that account, to facrifice the faith which they professed. They dreaded her attachment to a religion which allowed its votaries to violate the most folemn engagements, and prompted them to perpetrate the most barbarous crimes. A general confederacy of the protestants seemed to them the only thing that could uphold the Reformation against the league which was formed to overturn it. Nor could the present establishment of religion be long maintained in Britain, but by a strict union with Elizabeth, and by the concurrence of both nations, in efpoufing the defence of it, as a common cause 4.

ENCOURAGED by this general disposition to place confidence in her, Elizabeth refumed a scheme which she had formed during the regency of the earl of Murray, of fending Mary as a prisoner into Scotland. But her sentiments and fituation were now very different from what they had been during her negociation with Murray. Her animofity

against

against the queen of Scots was greatly augmented, by recent BOOK experience of her inclination, as well as power, not only to difturb the tranquillity of her reign, but to wrest from her the crown; the party in Scotland favourable to Mary was almost entirely broken; and there was no reason to dread any danger from France, which still continued to court her friendship. She aimed, accordingly, at something very different from that which she had in view three years before. Then she discovered a laudable solicitude, not only for the fafety of Mary's life, but for fecuring to her treatment fuited to her rank. Now she required, as an express condition, that immediately after Mary's arrival in Scotland, she should be brought to public trial; and having no doubt that fentence would be passed according to her deserts, she insisted that, for the good of both kingdoms, it should be executed without delay . No transaction, perhaps, in Elizabeth's reign, merits more severe censure. Eager to cut short the days of a rival, the object both of her hatred and dread, and no less anxious to avoid the blame to which such a deed of violence might expose her, she laboured, with timid and ungenerous artifice, to transfer the odium of it from herfelf to Mary's own subjects. The earl of Mar, happily for the homour of his country, had more virtue than to listen to such an ignominious propofal; and Elizabeth did not venture to renew it.

WHILE she was engaged in pursuing this insidious mea- The regent fure, the regent was more honourably employed in endea- endeavours vouring to negociate a general peace among his countrymen. to unite both par-As he laboured for this purpose with the utmost zeal, and ties. the adverse faction placed entire confidence in his integrity, his endeavours could hardly have failed of being fuccefsful. Maitland and Kirkaldy came fo near to an agreement with him, that scarce any thing remained except the formality of figning the treaty. But Morton had not forgotten the difappointment he met with in his pretenfions to the regency; his abilities, his wealth, and the patronage of the court of England, gave him greater fway with the party, than even the regent himself; and he took pleasure in thwarting every measure pursued by him. He was afraid that, if Maitland and his affociates recovered any share in the administration, his own influence would be confiderably diminished; and the regent, by their means, would regain that afcendant which belonged to his station. With him concurred all those who were in poffession of the lands which belonged to any of the queen's party. His ambition, and their avarice, frustrated

BOOK the regent's pious intentions, and retarded a bleffing fo neceffary to the kingdom, as the establishment of peace s. VE.

1572.

His death.

Morton chosen re-

November.

gent.

Such a discovery of the felfishness and ambition which reigned among his party, made a deep impression on the regent, who loved his country, and wished for peace with much ardour. This inward grief broke his spirit, and by degrees brought on a fettled melancholy, that ended in a diftemper, of which he died on the twenty-ninth of October. He was, perhaps, the only person in the kingdom who could have enjoyed the office of regent without envy, and have left it without loss of reputation. Notwithstanding their mutual animolities, both factions acknowledged his views to be honourable, and his integrity to be uncorrupted t.

No competitor now appeared against Morton. The queen of England powerfully supported his claim, and notwithstanding the fears of the people, and the jealoufy of the nobles, he was elected regent; the fourth who, in the space of five

years had held that dangerous office.

As the truce had been prolonged to the first of January, this gave him an opportunity of continuing the negociations with the opposite party, which had been set on foot by his predecessor. They produced no effects, however, till the beginning of the next year.

Before we proceed to these, some events, hitherto un-

touched, deserve our notice.

THE earl of Northumberland, who had been kept prisoner in Lochlevin ever fince his flight into Scotland in the year one thousand five hundred and fixty-nine, was given up to lord Hunsdon, governor of Berwick; and being carried to York, fuffered there the punishment of his rebellion. The king's party were fo fensible of their dependence on Elizabeth's protection, that it was fearcely possible for them to refuse putting into her hands a person who had taken up arms against her; but as a sum of money was paid on that account, and shared between Morton and Douglas of Lochlevin, the former of whom, during his exile in England, had been much indebted to Northumberland's friendship, the abandoning this unhappy nobleman, in fuch a manner, to certain destruction, was univerfally condemned as a most ungrateful and mercenary action ".

Affairs of

This year was remarkable for a confiderable innovation in be church. the government of the church. Soon after the Reformation, the popish bishops had been confirmed by law in possession of part of their benefices; but the spiritual jurisdiction, which belonged to their order, was exercised by superintendants, though

t Crawf. Mem. 241.

Melv. 233. Crawf. Mem. 237.

<sup>&</sup>quot; Crawf. Mem. 55. 222. Camd. 445.

though with more moderate authority. On the death of BOOK the archbishop of St. Andrew's, Morton obtained from the crown a grant of the temporalities of that fee. But as it was thought indecent for a layman to hold a benefice to which the cure of fouls was annexed, he procured Douglas, rector of the university of St. Andrew's, to be chosen archbishop; and, allotting him a small pension out of the revenues of the fee, retained the remainder in his own hands. The nobles, who faw the advantages they might reap from fuch a practice, supported him in the execution of his plan. It gave great offence, however, to the clergy, who, instead of perpetuating an order whose name and power was odious to them, wished that the revenues which had belonged to it might be employed in supplying such parishes as were still unprovided with fettled pastors. But, on the other hand, it would have been rash in the clergy to have irritated too much noblemen, on whom the very existence of the protestant church in Scotland depended; and Morton, on the other, conducted his schemes with such dexterity, and managed them with so much art, that it was at last agreed, in a convention composed of the leading men among the clergy, together with a committee of privy council, "That the name and office of archbishop and bishop should be continued during the king's minority, and these dignities be conferred upon the best qualified among the protestant ministers; but that, with regard to their spiritual jurisdictions, they should be subject to the general assembly of the church." The rules to be observed in their election, and the persons who were to supply the place, and enjoy the privileges which belonged to the dean and chapter in times of popery, were likewise particularly specified's. The whole being laid before the general affembly, after fome exceptions to the name of archbishop, dean, chapter, &c. and a protestation that it should be considered only as a temporary constitution, until one more perfect could be introduced, it obtained the approbation of that courty. Even Knox who was prevented from attending the affembly by the ill state of his health, though he declaimed loudly against the simoniacal paction to which Douglas owed his preferment, and blamed the nomination of a person worn out with age and infirmities, to an office which required unimpaired vigour both of body and mind, feems not to have condemned the proceedings of the convention; and, in a letter to the affembly, approved of fome of their regulations with respect to

the election of bishops, as worthy of being carefully ob-

1572-

BOOK ferved 2. In confequence of the affembly's confent to the plan agreed upon in the convention, Douglas was installed in his office, and at the fame time an archbishop of Glasgow, and a bishop of Dunkeld, were chosen from among the protestant clergy. They were all admitted to the place in parliament, which belonged to the ecclefiaftical order. But, in imitation of the example fet by Morton, fuch bargains were made with them by different noblemen, as gave them poffestion only of a very small part of the revenues belonging to their fees a.

Nov. 27. Death and character of Knox.

Soon after the diffolution of this affembly, Knox, the prime instrument of spreading and establishing the reformed religion in Scotland, ended his life, in the fixty-feventh year of his age. Zeal, intrepidity, difinterestedness, were virtues which he poffessed in an eminent degree. He was acquainted too with the learning cultivated among divines in that age; and excelled in that species of eloquence which is calculated to rouse and to inflame b. His maxims, however, were often too fevere, and the impetuofity of his temper excessive. Rigid and uncomplying himself, he shewed no indulgence to the infirmities of others. Regardless of the distinctions of rank and character, he uttered his admonitions with an acrimony and vehemence, more apt to irritate than to reclaim. This often betrayed him into indecent and undutiful expressions with respect to the queen's person and conduct. Those very qualities, however, which now render his character less amiable, fitted him to be the instrument of Providence for advancing the Reformation

\* Spotf. 261. <sup>2</sup> See Appendix, No. V. A striking description of that species of eloquence for which Knox was distinguished, is given by one of his contemporaries, Mr. James Melville, minister of Anstruther. "But of all the benefites I had that year [1571], was the coming of that most notible Prophet and Apostle of our nation, Mr. John Knox, to St. Andrews, who, by the faction of the queen occupying the castle and town of Edinburgh, was compelled to remove therefra with a number of the best, and chused to come to St. Andrews. I heard him teach there the prophecies of Daniel that summer and the winter sollowing. I had my pen and little buik, and took away fic things as I could comprehend. In the opening of his text, he was moderate the space of half an hour; but when he entered to application, he made me fo to grue [thrill] and tremble that I could not hald the pen to write. —He was very weak. I faw him every day of his doctrine go bulie [flowly] and fair, with a furring of marticks about his neck, a staff in the one hand, and good godlie Richart Ballanden holding him up by the oxter [under the arm], from the abbey to the parish kirk; and he the said Richart and another servant lifted him up to the pulpit, where he behoved to lean at his first entrie; but e're he was done with his fermon, he was so active and vigorous, that he was like to ding the pulpit in blads [beat the pulpit to pieces], and sly out of it." MS. Life of Mr. James Melville, belonging to Mr. Paton of the Custom-house, Edinburgh, P. 14. 21.

Reformation among a fierce people, and enabled him to face BOOK dangers, and to furmount opposition, from which a person of a more gentle spirit would have been apt to shrink back. A By an unwearied application to study and to bufiness, as well as by the frequency and fervour of his public difcourfes, he had worn out a constitution naturally robust. During a lingering illness he discovered the utmost fortitude; and met the approaches of death with a magnanimity inseparable from his character. He was constantly employed in acts of devotion, and comforted himself with those prospects of immortality which not only preserve good men from desponding, but fill them with exultation in their last moments. The earl of Morton, who was prefent at his funeral, pronounced his eulogium in a few words, the more honourable for Knox as they came from one whom he had often cenfured with peculiar feverity: "There lies He, who never feared the face of man b."

THOUGH Morton did not defire peace from fuch generous motives as the former regent, he laboured, however, in The regent good earnest, to establish it. The public confusions and treats with calamities, to which he owed his power and importance party. when he was only the fecond person in the nation, were extremely detrimental to him, now that he was raifed to be While fo many of the nobles continued in arms against him, his authority as regent was partial, feeble, and precarious. Elizabeth was no less desirous of extinguishing the flame which the had kindled and kept fo long alive in Scotland c. She had discovered the alliance with France, from which she had expected such advantages, to be no foundation of fecurity. Though appearances of friendship still subsisted between her and that court, and Charles daily renewed his protestations of inviolable adherence to the treaty, she was convinced, by a fatal example, how little the ought to rely on the promifes or oaths of that perfidious monarch. Her ambassador warned her that the French held fecret correspondence with Mary's adherents in Scotland, and encouraged them in their obstinacy d. The duke of Alva carried on his intrigues in that kingdom with lefs difguife. She was perfuaded that they would embrace the first serene interval, which the commotions in France and in the Netherlands would allow them, and openly attempt to land a body of men in Scotland. She refolved, therefore, to prevent their getting any footing in the island, and to cut

BOOK off all their hopes of finding any affiftance there by uniting vi. the two parties.

1573. His overtures rejected by Maitland and Kirkaldy.

THE fituation of Mary's adherents enabled the regent to carry on his negociations with them to great advantage. They were now divided into two factions. At the head of the one were Chatelherault and Huntly. Maitland and Kirkaldy were the leaders of the other. Their high rank, their extensive property, and the numbers of their followers, rendered the former confiderable. The latter were indebted for their importance to their personal abilities, and to the strength of the castle of Edinburgh, which was in their posfession. The regent had no intention to comprehend both in the fame treaty; but as he dreaded that the queen's party, if it remained entire, would be able to thwart and embarrass his administration, he resolved to divide and weaken it, by a feparate negociation. He made the first overture to Kirkaldy and his affociates, and endeavoured to renew the negociation with them, which, during the life of his predeceffor, had been broken off by his own artifices. But Kirkaldy knew Morton's views, and fystem of government, to be very different from those of the former regent. Maitland confidered him as a personal and implacable enemy. They received repeated affurances of protection from France, and though the fiege of Rochelle employed the French arms at that time, the same hopes, which had so often deceived the party, still amused them, and they expected that the obstinacy of the hugonots would foon be fubdued, and that Charles would then be at liberty to act with vigour in Scotland. Meanwhile, a fupply of money was fent, and if the castle could be held out till Whitsunday, effectual aid was promised e. Maitland's genius delighted in forming schemes that were dangerous; and Kirkaldy possessed the intrepidity necessary for putting them in execution. The castle, they knew, was fo fituated, that it might defy all the regent's power. Elizabeth, they hoped, would not violate the treaty with France, by fending forces to his affiftance; and if the French should be able to land any considerable body of men, it might be possible to deliver the queen from captivity, or at least to balance the influence of France and England in fuch a manner, as to rescue Scotland from the dishonourable dependance upon the latter, under which it had fallen. This splendid but chimerical project they preferred to the friendship

friendship of Morton. They encouraged the negotiation, BOOK however, because it served to gain time; they proposed, for the fame purpose, that the whole of the queen's party should be comprehended in it, and that Kirkaldy should retain the command of the castle six months after the treaty was figned. His interest prompted the regent to reject the former; his penetration discovered the danger of complying with the latter; and all hopes of accommodation vanished f.

As foon as the truce expired, Kirkaldy began to fire on the city of Edinburgh, which, by the return of the inhabitants whom he had expelled, was devoted as zealoufly as ever to the king's cause. But as the regent had now set on foot a treaty with Chatelherault and Huntly, the ceffation of arms still continued with them.

THEY were less scrupulous than the other party, and lif- Accepted tened eagerly to his overtures. The duke was naturally by Chatelunfteady, and the approach of old age increased his irrefo- Huntly. lution, and aversion to action. The miseries of civil discord had afflicted Scotland almost five years, a length of time far beyond the duration of any former contest. The war, instead of doing fervice, had been detrimental to the queen; and more ruinous than any foreign invafion to the kingdom. In profecuting it, neither party had gained much honour; both had fuffered great losses; and had exhausted their own estates, in wasting those of their adversaries. The commons were in the utmost misery, and longed ardently for a peace, which might terminate this fruitless but destructive quarrel.

A GREAT step was taken towards this desirable event, by Articles of the treaty concluded at Perth, between the regent on one the treaty. hand, and Chatelherault and Huntly on the other, under the mediation of Killegrew, Elizabeth's ambaffador 3. The chief articles in it were these; that all the parties comprehended in the treaty should declare their approbation of the reformed religion, now established in the kingdom; that they should submit to the king's government, and own Morton's authority as regent; that they should acknowledge every thing done in opposition to the king, fince his coronation, to be illegal; that on both fides the prisoners who had been taken should be set at liberty, and the estates which had been forfeited should be restored to their proper owners; that the act of attainder passed against the queen's adherents should be repealed, and indemnity granted for all the crimes of which they had been guilty fince the fifteenth of June one Vol. I.

I573.

BOOK thousand five hundred and fixty-seven; and that the treaty VI. should be ratified by the common consent of both parties in parliament h.

1573. Siege of the castle of

April 25.

KIRKALDY though abandoned by his affociates, who neither discovered solicitude nor made provision for his safety, Edinburgh. did not lofe courage, nor entertain any thoughts of accommodation i. Though all Scotland had now fubmitted to the king, he still resolved to defend the castle in the queen's name, and to wait the arrival of the promifed fuccours. The regent was in want of every thing necessary for carrying on a fiege. But Elizabeth, who determined at any rate to bring the diffensions in Scotland to a period, before the French could find leifure to take part in the quarrel, foon afforded him fufficient fupplies. Sir William Drury marched into Scotland with fifteen hundred foot, and a confiderable train of artillery. The regent joined him with all his forces; and trenches were opened, and approaches regularly carried on against the castle. Kirkaldy though discouraged by the lofs of a great fum of money, remitted to him from France, and which fell into the regent's hands through the treachery of Sir James Balfour, the most corrupt man of that age, defended himfelf with bravery, augmented by defpair. Threeand-thirty days he refifted all the efforts of the Scotch and English, who pushed on their attacks with courage, and with emulation. Nor did he demand a parley, till the fortifications were battered down, and one of the wells in the castle dried up, and the other choaked with rubbish. Even then, his spirit was unsubdued, and he determined rather to fall gloriously behind the last intrenchment, than to yield to his inveterate enemies. But his garrifon was not animated with the same heroic or desperate resolution, and, rising in a mutiny, forced him to capitulate. He furrendered himfelf to Drury, who promifed, in the name of his miftrefs, that he should be favourably treated. Together with him, James Kirdaldy his brother, lord Home, Maitland, fir Ro-

May 29.

h Crawf. Mem. 251.

That this was really the case is evident from the positive testimony of Spotsw. 269, 270. Camd. 448. Johnst. Hist. 3, 4. Digges, 334. Crawford's account agrees, in the main, with theirs, Mem. 263.

Melvil, whose brother, sir Robert, was one of those who joined with Kirkaldy in defence of the castle, and who was himself strongly attached to their party, afferts that Kirkaldy offered to accept of any reasonable terms of composition, but that all his offers were rejected by the regent. Melv. 240. But as Elizabeth was, at that time, extremely defirous of restoring peace in Scotland, and her ambassador Killegrew, as well as the earl of Rothes, used their utmost endeavours to persuade Kirkaldy to accede to the treaty of Perth, it feems more credible to impute the continuance of hostilities to Kirkaldy's obstinacy, his distrust of Morton, or his hope of foreign aid, than to any other

bert Melvil, a few citizens of Edinburgh, and about one hun- BOOK

dred and fixty foldiers, were made prisoners k.

SEVERAL of the officers, who had been kept in pay during the war, prevailed on their men to accompany them into the Low-countries, and entering into the fervice of the States, added, by their gallant behaviour, to the reputation for military virtue, which has always been the characteristic of the Scottish nation.

1573.

THUS by the treaty with Chatelherault and Huntly, and Review of the furrender of the castle, the civil wars in Scotland were the character of both brought to a period. When we review the state of the na- parties. tion, and compare the strength of the two factions, Mary's partifans among the nobles appear, manifestly, to have been superior both in numbers and in power. But these advantages were more than counterbalanced by others, which their antagonists enjoyed. Political abilities, military skill, and all the talents which times of action form, or call forth, appeared chiefly on the king's fide. Nor could their enemies boast of any man, who equalled the intrepidity of Murray, tempered with wisdom; the profound fagacity of Morton; the fubtle genius, and infinuating address, of Maitland; or the fuccefsful valour of Kirkaldy; all of which were, at first, employed in laying the foundations of the king's authority. On the one fide, measures were concerted with prudence, and executed with vigour; on the other, their resolutions were rash, and their conduct feeble. The people, animated with zeal for religion, and prompted by indignation against the queen, warmly supported the king's cause. The clergy threw the whole weight of their popularity into the same scale. By means of these, as well as by the powerful interpolition of England, the king's government was finally established. Mary lost even that shadow of fovereignty, which, amidst all her fufferings, she had hitherto retained among part of her own fubjects. was no longer permitted to have an ambassador at the court of England, the only mark of dignity which she had, for some time, enjoyed there, she must henceforth be considered as an exile stripped of all the ensigns of royalty; guarded with anxiety in the one kingdom, and totally deferted or forgotten in the other.

KIRKALDY and his affociates remained in Drury's custody, Kirkaldy and were treated by him with great humanity, until the put to queen of England, whose prisoners they were, should determine their fate. Morton infifted that they should fuffer the

punishment

<sup>&</sup>lt;sup>k</sup> Cald. ii. 408. Melv. 240. Crawf. Mem. 265.

VI.

1573.

August 3.

BOOK punishment due to their rebellion and obstinacy; and declared that, fo long as they were allowed to live, he did not reckon his own person or authority secure; and Elizabeth, without regarding Drury's honour, or his promifes in her name, gave them up to the regent's disposal. He first confined them to feparate prisons; and soon after, with Elizabeth's confent, condemned Kirkaldy, and his brother, to be hanged at the cross of Edinburgh. Maitland, who did not expect to be treated more favourably, prevented the ignominy of a public execution, by a voluntary death, and " ended his days," fays Melvil, " after the old Roman " fashion !."

WHILE the regent was wreaking his vengeance on the remains of her party in Scotland, Mary, incapable of affording them any relief, bewailed their misfortunes in the folitude of her prison. At the same time her health began to be much impaired by confinement and want of exercise. At the entreaty of the French ambaffador, lord Shrewfbury, her keeper, was permitted to carry her to Buxton-wells, not far from Tuthbury, the place of her imprisonment. Cecil, who lately had been created baron of Burleigh, and lord high treasurer of England, happened to be there at the fame time. Though no minister ever entered more warmly into the views of a fovereign, or gave stronger proofs of his fidelity and attachment, than this great man, yet fuch was Elizabeth's distrust of every person who approached the queen of Scots, that her fuspicions, in consequence of this interview, feem to have extended even to him; and, while Mary justly reckoned him her most dangerous enemy, he found some difficulty in persuading his own mistress that he was not partial to that unhappy queen m.

THE duke of Alva was this year recalled from the government of the Netherlands, where his haughty and oppressive administration roused a spirit, in attempting to subdue which, Spain exhaufted its treasures, ruined its armies, and lost its glory. Requesens, who succeeded him, was of a milder temper, and of a lefs enterprifing genius. This event delivered Elizabeth from the perpetual difquietude, occasioned by Alva's negotiations with the Scottish queen, and his zeal

for her interest.

1574. The regent's administration becomes odious.

Though the kingdom was now fettled in profound peace, many of the evils which accompany civil war were still felt. The restraints of law, which, in times of public confusion, are little regarded even by civilized nations, were totally despised

despised by a fierce people, unaccustomed to a regular ad- BOOK ministration of justice. The disorders in every corner of the kingdom were become intolerable; and, under the protection of the one or the other faction, crimes of every kind were committed with impunity. The regent fet himself to redrefs thefe, and by his industry and vigour, order and fecurity were re-established in the kingdom. But he lost the reputation due to this important service, by the avarice which he discovered in performing it; and his own exactions became more pernicious to the nation than all the irregularities. which he restrained n. Spies and informers were every where employed; the remembrance of old offences was revived; imaginary crimes were invented; petty trespasses were aggravated; and delinquents were forced to compound for their lives, by the payment of exorbitant fines. At the fame time the current coin was debased o; licences were fold for carrying on prohibited branches of commerce; unufual taxes were imposed on commodities; and all the refinements in oppression, from which nations so imperfectly polished as the Scots are usually exempted, were put in practice. None of these were complained of more loudly, or with greater reason, than his injustice towards the church. The thirds of benefices, out of which the clergy received their fubfiftence, had always been flowly and irregularly paid to collectors appointed by the general affembly; and during the civil wars, no payment could be obtained in feveral parts of the kingdom. Under colour of redressing this grievance, and upon a promife of affigning every minister a stipend within his own parish, the regent extorted from the church the thirds to which they had right by law. But the clergy, instead of reaping any advantage from this alteration, found that payments became more irregular and dilatory than ever. One minister was commonly burdened with the care of four or five parishes, a pitiful falary was allotted him, and the regent's infatiable avarice feized on the rest of the fund P.

THE death of Charles IX. which happened this year, was Henry III. who a new misfortune to the Scottish queen. fucceeded

See Append. No. VII.

<sup>&</sup>quot;The corruption of the coin, during Morton's administration, was very great. Although the quantity of current money coined out of a pound of bullion, was gradually increased by former princes; the standard or fineness suffered little alteration, and the mixture of alloy was nearly the fame with what is now used. But Morton mixed a fourth part of alloy with every pound of silver, and funk, by confequence, the value of coin in proportion. In the year 1581, all the money coined by him was called in, and appointed to be recoined. The standard was restored to the same purity as formerly. Ruddim. Præf. to Anderf. Diplom. p. 74.

<sup>&</sup>lt;sup>2</sup> Crawf. Mem. 272. Spotf. 273. Cald. ii. 420. 427.

VI.

1575. Jan. 22.

BOOK succeeded him, had not the same attachment to her person; and his jealoufy of the house of Guise, and obsequiousness to the queen mother, greatly alienated him from her interest.

> THE death of the duke of Chatelherault must likewise be confidered as some loss to Mary. As the parliament had frequently declared him next heir to the crown, this entitled him to great respect among his countrymen, and enabled him, more than any other person in the kingdom, to counter-

balance the regent's power.

Soon after, at one of the usual interviews between the wardens of the Scottish and English marches, a scussle happened, in which the English were worsted; a few killed on the spot; and fir James Forrester, the warden, with several gentlemen, who attended him, taken prisoners. But both Elizabeth and the regent were too fensible of the advantage which refulted from the good understanding that sublisted between the two kingdoms, to allow this flight accident to interrupt it.

Attempts of the clergy against the epifcopal order.

THE domestic tranquillity of the kingdom was in some danger of being disturbed by another cause. Though the persons raised to the dignity of bishops possessed very small revenues and a very moderate degree of power, the clergy, to whom the regent and all his measures were become extremely odious, began to be jealous of that order. Knowing that corruptions steal into the church gradually, under honourable names, and upon decent pretences, they were afraid that, from fuch small beginnings, the hierarchy might grow in time to be as powerful and oppressive as ever. chief author of these suspicions was Mr. Andrew Melvil, a man diffinguished by his uncommon erudition, by the feverity of his manners, and the intrepidity of his mind. bred up in the retirement of a college, he was unacquainted with the arts of life; and being more attentive to the ends which he purfued, than to the means which he employed for promoting them, he often defeated laudable defigns, by the impetuofity and imprudence with which he carried them A question was moved by him in the affembly, "whether the office of bishop, as now exercised in the kingdom, were agreeable to the word of God?" In the ecclefiaftical judicatories, continual complaints were made of the bishops for neglect of duty, many of which their known remissiness too well justified. The bishop of Dunkeld, being accused of dilapidating his benefice, was found guilty by the afsembly. The regent, instead of checking, connived at these disputes about ecclesiastical government, as they diverted the zeal

zeal of the clergy from attending to his daily encroachments BOOK

on the patrimony of the church q.

THE weight of the regent's oppressive administration had, hitherto, fallen chiefly on those in the lower and He irrimiddle rank; but he began now to take fuch steps as con- tates some vinced the nobles, that their dignity would not long exempt of the nothem from feeling the effects of his power. An accident, bles. which was a frequent cause of diffension among the Scottish nobles, occasioned a difference between the earls of Argyll and Athol. A vaffal of the former had made fome depredations on the lands of the latter. Athol took arms to punish the offender; Argyll, to protect him; and this ignoble quarrel they were ready to decide in the field, when the regent, by interposing his authority, obliged them to disband their forces. Both of them had been guilty of irregularities, which though common, were contrary to the letter of the law. Of these the regent took advantage, and resolved to found on them a charge of treason. This defign was revealed to the two earls by one of Morton's retainers. The common danger, to which they were exposed, compelled them to forget old quarrels, and to unite in a close confederacy for their mutual defence. Their junction rendered them formidable; they despised the summons which the regent gave them to appear before a court of justice; and he was obliged to defift from any further profecution. But the injury he intended made a deep impression on their minds, and drew upon him fevere vengeance .

Nor was he more fuccefsful in an attempt which he made, to load lord Claud Hamilton with the guilt of having formed a conspiracy against his life. Though those who were supposed to be his accomplices, were seized and tortured, no evidence of any thing criminal appeared; but, on the contrary, many circumstances discovered his innocence, as well as the regent's fecret views, in imputing to

him fuch an odious defign s.

THE Scottish nobles, who were almost equal to their monarchs in power, and treated by them with much dif- They turn tinction, observed these arbitrary proceedings of a regent their eyes towards the with the atmost indignation. The people, who, under a king. form of government extremely fimple, had been little accustomed to the burden of taxes, complained loudly of the regent's rapacity. And all began to turn their eyes towards the young king, from whom they expected the redress of all

<sup>9</sup> Cald. Assemblies, 1574, &c. Johnst. Hist. 15. · Crawf. Mem. 287. Crawf. Mem. 285.

BOOK their grievances, and the return of a more gentle and more equal administration. VI.

1577. Tames's education and disposi-

JAMES was now in the twelfth year of his age. The queen, foon after his birth, had committed him to the care of the earl of Mar, and during the civil wars he had refided fecurely in the castle of Stirling. Alexander Erskine, that nobleman's brother, had the chief direction of his education. Under him, the famous Buchanan acted as preceptor, together with three other mafters, the most eminent the nation afforded for skill in those sciences which were deemed neceffary for a prince. As the young king shewed an uncommon passion for learning, and made great progress in it; the Scots fancied that they already discovered in him all those virtues which the fondness or credulity of subjects usually ascribe to princes during their minority. But as James was still far from that age at which the law permitted him to assume the reins of government, the regent did not sufficiently attend to the sentiments of the people, nor reflect how naturally these prejudices in his favour might encourage the king to anticipate that period. He not only neglected to fecure the friendship of those who were about the king's person, and who possessed his ear, but had even exasperated some of them by personal injuries. Their refentment concurred with the ambition of others, in infufing theregent's into the king early fuspicions of Morton's power and defigns. A king, they told him, had often reason to fear, feldom to love, a regent. Prompted by ambition, and by interest, he would endeavour to keep the prince in perpetual infancy, at a distance from his subjects, and unacquainted with bufinefs. A fmall degree of vigour, however, was fufficient to break the yoke. Subjects naturally reverence their fovereign, and become impatient of the temporary and delegated jurisdiction of a regent. Morton had governed with rigour unknown to the ancient monarchs of Scotland. The nation groaned under his oppressions, and would welcome the first prospect of a milder administration. At prefent the king's name was hardly mentioned in Scotland, his friends were without influence, and his favourites without honour. But one effort would discover Morton's power to be as feeble as it was arbitrary. The fame attempt would put himself in possession of his just authority, and rescue the nation from intolerable tyranny. If he did not regard his own rights as a king, let him liften, at least, to the cries of his people t.

He is fufpicious of power.

THESE

THESE fuggestions made a deep impression on the young BOOK king, who was trained up in an opinion that he was born to command. His approbation of the defign, however, was of small consequence, without the concurrence of the nobles. The earls of Argyll and Athol, two of the most powerful of A plot that body, were animated with implacable refentment against against the the regent. To them the cabal in Stirling-castle communi- regent. cated the plot which was on foot; and they entering warmly into it, Alexander Erskine, who, fince the death of his brother, and during the minority of his nephew, had the command of that fort, and the custody of the king's person, admitted them fecretly into the king's presence. They gave him the fame account of the mifery of his fubjects, under the regent's arbitrary administration; they complained loudly of the injuffice with which themselves had been treated, and befought the king, as the only means for redreffing the grievances of the nation, to call a council of all the nobles. lames confented, and letters were issued in his name for that purpose; but the two earls took care that they should be sent only to fuch as were known to bear no good will to Morton".

THE number of these was, however, so considerable, that on the day appointed, far the greater part of the nobles affembled at Stirling; and so highly were they incensed against Morton, that, although, on receiving intelligence of Argyll and Athol's interview with the king, he had made a feint as if he would refign the regency, they advised the king, without regarding this offer, to deprive him of his March 24. office, and to take the administration of government into his own hands. Lord Glamis, the chancellor, and Herries, were appointed to fignify this resolution to Morton, who was at that time in Dalkeith, his usual place of residence. Nothing could equal the joy with which this unexpected re- He religns folution filled the nation, but the furprife occasioned by the his office, feeming alacrity with which the regent descended from so and retires. high a station. He neither wanted fagacity to foresee the danger of refigning, nor inclination to keep poffession of an office, for the expiration of which the law had fixed fo diftant a term. But all the fources, whence the faction of which he was head, derived their strength, had either failed, or now supplied his adversaries with the means of humbling him. The commons, the city of Edinburgh, the clergy, were all totally alienated from him, by his multiplied oppressions. Elizabeth, having lately bound herself by treaty,

I578.

March 12.

BOOK to fend a confiderable body of troops to the affiftance of the inhabitants of the Netherlands, who were struggling for liberty, had little leifure to attend to the affairs of Scotland; and as the had nothing to dread from France, in whose councils the princes of Lorrain had not at that time much influence, she was not displeased, perhaps, at the birth of new factions in the kingdom. Even those nobles, who had long been joined with Morton in faction, or whom he had attached to his perfon by benefits, Glamis, Lindfay, Ruthven, Pitcairn the fecretary, Murray of Tillibardin comptroller, all deferted his falling fortunes, and appeared in the council at Stirling. So many concurring circumstances convinced Morton of his own weakness, and determined him to give way to a torrent, which was too impetuous to be refifted. He attended the chancellor and Herries to Edinburgh; was prefent when the king's acceptance of the government was proclaimed; and, in the prefence of the people, furrendered to the king all the authority to which he had any claim in virtue of his office. This ceremony was accompanied with fuch excessive joy and acclamations of the multitude, as added, no doubt, to the anguish which an ambitious spirit must feel, when compelled to renounce supreme power; and convinced Morton how entirely he had loft the affections of his countrymen. He obtained, however, from the king an act containing the approbation of every thing done by him in the exercise of his office, and a pardon in the most ample form that his fear or caution could devise, of all past offences, crimes, and treafons. The nobles, who adhered to the king, bound themfelves under a great penalty, to procure the ratification of

Continues to watch the motions of the adverse party.

this act in the first parliament x. A council of twelve peers was appointed to affift the king in the administration of affairs. Morton, deserted by his own party, and unable to struggle with the faction which governed abfolutely at court, retired to one of his feats, and feemed to enjoy the tranquillity, and to be occupied only in the amusements of a country life. His mind, however, was deeply disquieted with all the uneasy reflections which accompany disappointed ambition, and intent on schemes for recovering his former grandeur. Even in this retreat, which the people called the Lion's-den, his wealth and abilities rendered him formidable; and the new counfellors were so imprudent as to rouse him, by the precipitancy

<sup>\*</sup> Spots. 278. Crawf. Mem. 289. Cald. ii. 522.

cipitancy with which they hastened to strip him of all the BOOK remains of power. They required him to furrender the castle of Edinburgh, which was still in his possession. He refused at first to do so, and began to prepare for its defence; but the citizens of Edinburgh having taken arms, and repulfed part of the garrison, which was fent out to guard a convoy of provisions, he was obliged to give up that important fortress, without refistance. This encouraged his adverfaries to call a parliament to meet at Edinburgh, and to multiply their demands upon him, in fuch a manner, as convinced him that nothing less than his utter ruin would fatisfy their inveterate hatred.

THEIR power and popularity, however, began already to The chancellor, the ablest and most moderate man in the party, having been killed at Stirling, in an accidental rencounter between his followers and those of the earl of Crawford; Athol, who was appointed his fucceffor in that high office, the earls of Eglinton, Caithness, and lord Ogilvie, all the prime favourites at court, were either avowed papilts, or suspected of leaning to the opinions of that sect. In an age when the return of popery was fo much and fo justly dreaded, this gave universal alarm. As Morton had always treated the papifts with rigour, this unfeafonable fayour to persons of that religion made all zealous protestants remember that circumstance in his administration with great

praise y.

MORTON, to whom none of these particulars were un- Resumes known, thought this the proper juncture for fetting to work his former the instruments which he had been preparing. Having authority. gained the confidence of the earl of Mar, and of the counters his mother, he infinuated to them, that Alexander Erskine had formed a plot to deprive his nephew of the government of Stirling-castle, and the custody of the king's person; and eafily induced an ambitious woman, and a youth of twenty, to employ force to prevent this supposed injury. The earl repairing fuddenly to Stirling, and being admitted as usual April 26. into the castle with his attendants, seized the gates early in the morning, and turned out his uncle, who dreaded no danger from his hands. The foldiers of the garrifon fubmitted to him as their governor, and, with little danger and no effusion of blood, he became master both of the king's person, and of the fortress 2.

An event fo unexpected occasioned great consternation. Though Morton's hand did not appear in the execution, he

May 24.

BOOK was univerfally believed to be the author of the attempt.

The new counfellors faw it to be necessary, for their own I fafety, to change their measures, and, instead of pursuing him with fuch implacable refentment, to enter into terms of accommodation with an adversary, still so capable of creating them trouble. Four were named, on each fide, to adjust the differences. They met not far from Dalkeith; and when they had brought matters near a conclusion, Morton, who was too fagacious not to improve the advantage which their fecurity and their attention to the treaty afforded him, fet out in the night-time for Stirling, and having gained Murray of Tillibardin, Mar's uncle, was admitted by him into the caftle; and managing matters there with his usual dexterity, he soon had more entirely the command of the fort, than the earl himself. He was likewise admitted to a feat in the privy-council, and acquired as complete an

ascendant in it a. As the time appointed for the meeting of parliament at Edinburgh now approached, this gave him fome anxiety. He was afraid of conducting the young king to a city whose inhabitants were fo much at the devotion of the adverse faction. He was no lefs unwilling to leave James behind at Stirling. In order to avoid this dilemma, he issued a proclamation in the king's name, changing the place of meeting from Edinburgh to Stirling-castle. This Athol and his party represented as a step altogether unconstitutional. The king, faid they, is Morton's prisoner; the pretended counfellors are his flaves; a parliament, to which all the nobles may repair without fear, and where they may deliberate with freedom, is abfolutely necessary for fettling the nation, after diforders of fuch long continuance. But in an affembly called contrary to all form, held within the walls of a garrifon, and overawed by armed men, what fafety could members expect? what liberty could prevail in debate? or what benefit result to the public? The parliament met, however, on the day appointed, and, notwithstanding the protestation of the earl of Montrose and lord Lindsay, in name of their party, proceeded to business. The king's acceptance of the government was confirmed; the act granted to Morton, for his fecurity, ratified; fome regulations, with regard to the numbers and authority of the privy council, were agreed upon; and a pension for life granted to the counters of

July 25.

Mar. who had been so instrumental in bringing about the BOOK late revolution b.

MEANWHILE Argyll, Athol, and their followers, took arms, upon the specious pretence of rescuing the king from captivity, and the kingdom from oppression. James him- Argyll and felf, impatient of the fervitude in which he was held, by a Athol take man whom he had long been taught to hate, fecretly en- against couraged their enterprise; though, at the same time, he was him. obliged not only to difavow them in public, but to levy forces against them, and even to declare, by proclamation, that he was perfectly free from any constraint, either upon his person or his will. Both sides quickly took the field. August 11. Argyll and Athol were at the head of feven thousand men; the earl of Angus, Morton's nephew, met them with an army five thousand strong; neither party, however, was eager to engage. Morton distrusted the fidelity of his own troops. The two earls were fenfible that a fingle victory, however complete, would not be decifive; and as they were in no condition to undertake the fiege of Stirling-castle, where the king was kept, their strength would foon be exhausted, while Morton's own wealth, and the patronage of the queen of England, might furnish him with endless refources. By the mediation of Bowes, whom Elizabeth had Elizabeth fent into Scotland to negotiate an accommodation between negociates the two factions, a treaty was concluded, in confequence of an accomwhich Argyll and Athol were admitted into the king's pre-between fence; fome of their party were added to the privy council; them. and a convention of nobles called, in order to bring all remaining differences to an amicable iffue c.

As foon as James assumed the government into his own hands, he dispatched the abbot of Dunfermling to inform Elizabeth of that event; to offer to renew the alliance between the two kingdoms; and to demand possession of the estate which had lately fallen to him by the death of his grandmother the countess of Lennox. That lady's second fon had left one daughter, Arabella Stewart, who was born in England. \_ And as the chief objection against the pretenfions of the Scottish line to the crown of England, was that maxim of English law, which excludes aliens from any right of inheritance within the kingdom, Elizabeth, by granting this demand, would have established a precedent in James's favour, that might have been deemed decifive, with regard to a point, which it had been her constant care to keep undecided. Without suffering this delicate question to be

<sup>·</sup> Crawf. Mem. 307.

BOOK be tried, or allowing any new light to be thrown on that, which she considered as the great mystery of her reign, she commanded lord Burleigh, master of the wards, to sequester the rents of the estate; and by this method of proceeding, gave the Scottish king early warning how necessary it would be to court her favour, if ever he hoped for fuccess in claims of greater importance, but equally liable to be controverted d.

3579-

April 24.

AFTER many delays, and with much difficulty, the contending nobles were at last brought to some agreement. But it was followed by a tragical event. Morton, in token of reconcilement, having invited the leaders of the opposite party to a great entertainment, Athol the chancellor was foon after taken ill, and died within a few days. The fymptoms and violence of the disease gave rise to strong suspicions of his being poisoned; and though the physicians, who opened his body, differed in opinion as to the cause of the distemper, the chancellor's relations publicly accused Morton of that odious crime. The advantage which visibly accrued to him, by the removal of a man of great abilities, and averse from all his measures, was sufficient proof of his guilt to the people, who are ever fond of imputing the death of eminent perfons to extraordinary causes e.

Morton's illegal proceedings against the family of Hamilton.

THE office of chancellor was bestowed upon Argyll, whom this preferment reconciled, in a great measure, to Morton's administration. He had now recovered all the authority he poffeffed during his regency, and had entirely broken, or baffled, the power and cabals of his enemies. None of the great families remained to be the objects of his jealoufy or to obstruct his defigns, but that of Hamilton. The earl of Arran, the eldest brother, had never recovered the shock which he received from the ill fuccess of his passion for the queen, and had now altogether loft his reason. Lord John, the fecond brother, was in possession of the family estate. Lord Claud was commendator of Paisley; both of them young men, ambitious and enterprising. Morton dreaded their influence in the kingdom; the courtiers hoped to share their fpoils among them; and as all princes naturally view their fuccessors with jealousy and hatred, it was easy to infuse these passions into the mind of the young king. A pretence was at hand to justify the most violent proceedings. The pardon, stipulated in the treaty of Perth, did not extend to fuch as were accessary to the murder of the regents Murray or Lennox. Lord John and his brother

· Camd. 461.

e Spotsw. 306.

1579-

were suspected of being the authors of both these crimes, Book and had been included in a general act of attainder on that account. Without fummoning them to trial, or examining a fingle witness to prove the charge, this attainder was now thought fufficient to subject them to all the penalties which they would have incurred by being formally convicted. The earls of Morton, Mar, and Eglinton, together with the lords Ruthven, Boyd, and Cathcart, received a commission to feize their persons and estates. On a few hours warning, a confiderable body of troops was ready, and marched towards Hamilton in hostile array. Happily the two brothers made their escape, though with great difficulty. But their lands were confiscated; the castles of Hamilton and Drassan befieged; those who defended them punished. The earl of Arran, though incapable, from his fituation, of committing any crime, was involved, by a shameful abuse of law, in the common ruin of his family; and as if he, too, could have been guilty of rebellion, he was confined a close prisoner. These proceedings, so contrary to the fundamental principles of justice, were all ratified in the subsequent parliament.

About this time Mary fent, by Naué her fecretary, a letter to her fon, together with some jewels of value, and a vest embroidered with her own hands. But as fhe gave him only the title of prince of Scotland, the messenger was dismissed

without being admitted into his prefence 8.

THOUGH Elizabeth had, at this time, no particular reafon to fear any attempt of the popish princes in Mary's fayour, the still continued to guard her with the same anxious care. The acquisition of Portugal, on the one hand, and the defence of the Netherlands, on the other, fully employed the councils and arms of Spain. France, torn in pieces by intestine commotions, and under a weak and capricious prince, despised and distrusted by his own subjects, was in no condition to difturb its neighbours. Elizabeth had long Negociaamused that court by carrying on a treaty of marriage with tions for a the duke of Alençon, the king's brother. But whether, at marriage between the age of forty-five, the really intended to marry a prince Elizabeth of twenty; whether the pleasure of being flattered and and the courted, made her liften to the addresses of so young a lover, duke of whom she allowed to visit her at two different times, and Alengon. treated with the most distinguishing respect; or whether considerations of interest predominated in this as well as in every other transaction of her reign, are problems in history which we are not concerned to refolve. During the progreis

f Crawf. Mem. 311. Spotsw. 306,

VI. 1579-

BOOK gress of this negociation, which was drawn out to an extraordinary length, Mary could expect no affiftance from the French court, and feems to have held little correspondence with it; and there was no period in her reign, wherein Elizabeth enjoyed more perfect fecurity.

Two favourites gain an afcendant over lames.

MORTON feems at this time to have been equally fecure; but his fecurity was not fo well founded. He had weathered out one storm, had crushed his adversaries, and was again in possession of the sole direction of affairs. But as the king was now of an age when the character and dispositions of the mind begin to unfold themselves, and to become vifible, the fmallest attention to these might have convinced him, that there was reason to expect new and more dangerous attacks on his power. James early discovered that excessive attachment to favourites, which accompanied him through his whole life. This passion, which naturally arises from inexperience, and youthful warmth of heart, was, at his age, far from being culpable; nor could it well be expected that the choice of the objects, on whom he placed his affections, should be made with great skill. The most confiderable of them was Efme Stewart, a native of France, and fon of a fecond brother of the earl of Lennox. He was distinguished by the title of lord D'Aubigne, an estate in France, which descended to him from his ancestors, on whom it had been conferred, in reward of their valour and fervices to the French crown. He arrived in Scotland about this time, on purpose to demand the estate and title of Lennox, to which he pretended a legal right. He was received at first by the king with the respect due to so near a relation. The gracefulness of his person, the elegance of his dress, and his courtly behaviour, made a great impresfion on James, who, even in his more mature years, was little able to relift these frivolous charms; and his affection flowed with its usual rapidity and profusion. Within a few days after Stewart's appearance at court, he was created lord Aberbrothock, foon after earl, and then duke of Lennox, governor of Dunbarton castle, captain of the guard, sirst lord of the bed-chamber, and lord high chamberlain. At the fame time, and without any of the envy or emulation which is usual among candidates for favour, captain James Stewart, the fecond fon of lord Ochiltree, grew into great confidence. But notwithstanding this union, Lennox and captain Stewart were persons of very opposite characters. The former was naturally gentle, humane, candid; but unacquainted with the state of the country, and misled or misinformed by those whom he trusted; not unworthy to be the companion

Sept. 8.

of the young king in his amusements, but utterly disqualified BOOK for acting as a minister in directing his affairs. The latter was remarkable for all the vices which render a man formidable to his country, and a pernicious counfellor to his prince; nor did he possess anyone virtue to counterbalance these vices, unless dexterity in conducting his own designs, and an enterprising courage, superior to the sense of danger, may pass by that name. Unrestrained by religion, regardless of decency, and undifmayed by opposition, he aimed at objects feemingly unattainable; but under a prince void of experience, and blind to all the defects of those who had gained his favour, his audacity was fuccefsful; and honours, wealth, and

1579-

VI.

power were the reward of his crimes.

BOTH the favourites concurred in employing their whole Theylabour address to undermine Morton's credit, which alone obstruct- to undered their full possession of power. As James had been bred ton's auup with an aversion for that nobleman, who endeavoured thosty. rather to maintain the authority of a tutor, than to act with the obsequiousness of a minister, they found it no difficult matter to accomplish their defign. Morton, who could no October 17. longer keep the king shut up within the walls of Stirling-castle, having called a parliament to meet at Edinburgh, brought James made his entry into the capital with him thither. great folemnity; the citizens received him with the loudest acclamations of joy, and with many expensive pageants, according to the mode of that age. After a long period of thirty feven years, during which Scotland had been fubjected to the delegated power of regents, or to the feeble government of a woman; after having fuffered all the miferies of civil war, and felt the infolence of foreign armies, the nation rejoiced to fee the sceptre once more in the hands of a king. Fond even of that shadow of authority, which a prince of fifteen could posses, the Scots slattered themselves, that union, order, and tranquillity would now be restored to the kingdom. James opened the parliament with extraordinary pomp, but nothing remarkable passed in it.

THESE demonstrations, however, of the people's love and attachment to their fovereign, encouraged the favourites to continue their infinuations against Morton; and as the king now refided in the palace of Holy-rood-house, to which all his fubjects had access, the cabal against the earl grew daily stronger, and the intrigue, which occasioned his fall, ripened

1580.

gradually.

Morton began to be fenfible of his danger, and endeavour Morton oned to put a stop to the career of Lennox's preferment, by re- deavours to presenting him as a formidable enemy to the reformed relithem. gion,

Vol. I.

VI. 1580.

BOOK gions a fecret agent in favour of popery, and a known emissary of the house of Guise. The clergy, apt to believe every rumour of this kind, spread the alarm among the people. But Lennox, either out of compleifance to his mafter, or convinced by the arguments of fome learned divines whom the king appointed to instruct him in the principles of the protestant religion, publicly renounced the errors of popery, in the church of St. Giles, and declared himself a member of the church of Scotland, by figning her Confession of Faith. This, though it did not remove all suspicions, nor silence fome zealous preachers, abated, in a great degree, the force of the accusation h.

On the other hand, a rumour prevailed that Morton was preparing to feize the king's person and to carry him into Whether despair of maintaining his power by any other means, had driven him to make any overture of that kind to the English court, or whether it was a calumny invented by his adverfaries to render him odious, cannot now be determined with certainty. As he declared at his death that fuch a defign had never entered into his thoughts, the latter feems to be most probable. It afforded a pretence, however for reviving the office of lord chamberlain, which had been for some time disused. That honour was conferred on Lennox. Alexander Erskine, Morton's capital enemy, was his deputy; they had under them a band of gentlemen, who were appointed constantly to attend the king, and

to guard his person?.

Elizabeth interposes in his behalf.

Morton was not ignorant of what his enemies intended to infinuate by fuch unufual precautions for the king's fafety; and as his last resource, applied to Elizabeth, whose protection had often stood him in stead in his greatest diffi-In consequence of this application, Bowes her culties. envoy, accused Lennox of practices against the peace of the two kingdoms, and infifted, in her name, that he should instantly be removed from the privy council. Such an unprecedented demand was confidered by the counfellors as an affront to the king, and an encroachment on the independence of the kingdom. They affected to call in question the envoy's powers, and upon that pretence refused him farther audience? and he retiring in difgust, and without taking leave, fir Alexander Home was fent to expostulate with Elizabeth on the fubject. After the treatment which her envoy had received, Elizabeth thought it below her dignity to admit Home into her presence. Burleigh, to whom he was commanded

Crawf. Mem. 319. Spots. 308.

i Crawf. Mem. 320.

manded to impart his commission, reproached him with his BOOK master's ingratitude towards a benefactress who had placed the crown on his head, and required him to advise the king to beware of facrificing the friendship of so necessary an ally to the giddy humours of a young man, without experience, and strongly suspected of principles and attachments incompatible with the happiness of the Scottish nation.

This accufation of Lennox, haftened, in all prebability, Morton ac-Morton's fall. The act of indemnity, which he had ob- cused of the tained when he refigned the regency, was worded with fuch murder of fcrupulous exactness, as almost screened him from any legal king. profecution. The murder of the late king was the only crime which could not, with decency, be inferted in a pardon granted by his fon. Here Morton still lay open to the penalties of the law, and captain Stewart, who shunned no action, however desperate, if it led to power or to fayour, entered the council-chamber while the king and nobles were affembled, and falling on his kaees, accused Morton Decem. 30. of being accessary, or, according to the language of the Scottish law art and part, in the conspiracy against the life of his majesty's father, and offered, under the usual penalties, to verify this charge by legal evidence. Morton who was prefent, heard this accufation with firmness; and replied with a disdainful smile, proceeding either from contempt of the infamous character of his accuser, or from consciousness of his own innocence, "that his known zeal in punishing those who were suspected of that detestable crime, might well exempt himself from any suspicion of being acceffary to it; nevertheless, he would cheerfully submit to a trial, either in that place or in any other court; and doubted not but his own innocence, and the malice of his enemies, would then appear in the clearest light." Stewart, who was still on his knees, began to inquire how he would reconcile his bestowing so many honours on Archibald Douglas, whom he certainly knew to be one of the murderers, with his pretended zeal against that crime. Morton was ready to answer. But the king commanded both to be removed. The earl was confined, first of all to his own house, and then committed to the castle of Edinburgh, of which Alexander Erskine was governor; and as if it had not been a Jan. 2. fufficient indignity to fubject him to the power of one of his enemies, he was foon after carried to Dunbarton, of which Lennox had the command. A warrant was likewise issued Jan. 18. for apprehending Archibald Douglas; but he, having re-

1580.

THE

ceived timely intelligence of the approaching danger, fled

into England k.

BOOK VI. 1581.

THE earl of Angus, who imputed these violent proceedings, not to hatred against Morton alone, but to the ancient enmity between the houses of Stewart and of Douglas, and who believed that a conspiracy was now formed for the destruction of all who bore that name, was ready to take arms in order to rescue his kinsman. But Morton absolutely forbad any fuch attempt, and declared that he would rather fuffer ten thousand deaths, than bring an imputation upon his own character by feeming to decline a trial.

Elizabeth's order to fave him.

ELIZABETH did not fail to interpose, with warmth, in bemeasures in half of a man who had contributed so much to preserve her influence over Scotland. The late transactions in that kingdom had given her great uneafinefs. The power which Lennox had acquired independent of her was dangerous; the treatment her ambaffadors had met with differed greatly from the respect with which the Scots were in use to receive her ministers; and the attack now made on Morton fully convinced her that there was an intention to fow the feeds of difcord between the two nations, and to feduce James into a new alliance with France, or into a marriage with fome popish princess. Full of these apprehensions, she ordered a confiderable body of troops to be affembled on the borders of Scotland, and dispatched Randolph as her ambaffador into that kingdom. He addressed himself not only to James, and to his council, but to a convention of estates, met at that time. He began with enumerating the extraordinary benefits which Elizabeth had conferred on the Scottish nation: that without demanding a fingle foot of land for herfelf, without encroaching on the liberties of the kingdom in the smallest article, she had, at the expence of the blood of her fubjects and the treasures of her crown, refcued the Scots from the dominion of France, established among them true religion, and put them in possession of their ancient rights: that from the beginning of civil diffentions in the kingdom, she had protected those who espoused the king's cause, and by her assistance alone, the crown had been preserved on his head, and all the attempts of the adverse faction baffled; that an union, unknown to their ancestors, but equally beneficial to both kingdoms, had subfisted for a long period of years; and though fo many popish princes had combined to diffurb this happy state of things, her care, and their constancy, had hitherto defeated all these efforts: that she had observed of late an unusual coldness, diffrust, and estrangement in the Scottish council, which she could

could impute to none but to Lennox, a subject of France, BOOK a retainer to the house of Guise, bred up in the errors of popery, and still suspected of favouring that superstition. Not fatisfied with having mounted fo fast to an uncommon height of power, which he exercised with all the rashness of youth, and all the ignorance of a stranger; not thinking it enough to have deprived the earl of Morton of the authority due to his abilities and experience, he had conspired the ruin of that nobleman, who had often exposed his life in the king's cause, who had contributed more than any other subject to place him on the throne, to refift the encroachments of popery, and to preferve the union between the two kingdoms. If any zeal for religion remained among the nobles in Scotland, if they wished for the continuance of amity with England, if they valued the privileges of their own order, he called upon them, in the name of his mistress, to remove fuch a pernicious counfellor as Lennox from the prefence of the young king, to refcue Morton out of the hands of his avowed enemy, and fecure to him the benefit of a fair and impartial trial: and if force was necessary towards accomplishing a defign so falutary to the king and kingdom, he promifed them the protection of his mistress in the enterprife, and whatever affiftance they should demand either of men or money m.

But these extraordinary remonstrances, accompanied with fuch an unufual appeal from the king to his fubjects, were not the only means employed by Elizabeth in favour of Morton, and against Lennox. She perfuaded the prince of Orange to fend an agent into Scotland, and under colour of complimenting James on account of the valour which many of his subjects had displayed in the service of the states, to enter into a long detail of the restless enterprises of the popish princes against the protestant religion; to befeech him to adhere inviolably to the alliance with England, the only barrier which fecured his kingdom against their dangerous cabals; and, above all things, to distrust the infinuations of those who endeavoured to weaken or to dissolve that union between the British nations, which all the protestants in Europe beheld with fo much pleafure a.

JAMES'S counsellors were too intent upon the destruction James deof their enemy to listen to these remonstrances. The offi- termines to cious interpolition of the prince of Orange, the haughty proceed tone of Elizabeth's message, and her avowed attempt against him. to excite subjects to rebel against their sovereign, were

1581.

BOOK considered as unexampled insults on the majesty and independence of a crowned head. A general and evalive answer was given to Randolph. James prepared to affert his own dignity with spirit. All those suspected of favouring Morton were turned out of office, fome of them were required to furrender themselves prisoners; the men capable of bearing arms throughout the kingdom were commanded to be in readiness to take the field; and troops were levied and posted on the borders. The English ambassador, finding that neither the public manifesto which he had delivered to the convention, nor his private cabals with the nobles, could excite them to arms, fled in the night-time out of Scotland, where libels against him had been daily published, and even attempts made upon his life. In both kingdoms every thing wore an hostile aspect. But Elizabeth, though she wished to have intimidated the Scottish king by her preparations, had no inclination to enter into a war with him, and the troops on the borders, which had given fuch umbrage, were foon dispersed o.

THE greater folicitude Elizabeth discovered for Morton's fafety, the more eagerly did his enemies drive on their schemes for his destruction. Captain Stewart, his accuser, was first appointed tutor to the earl of Arran, and foon after both the title and estate of his unhappy ward, to which he advanced fome frivolous claim, were conferred upon him. The newmade peer was commanded to conduct Morton from Dunbarton to Edinburgh; and by that choice the earl was not only warned what fate he might expect, but had the cruel mortification of feeing his deadly enemy already loaded with honours, in reward of the malice which he had contributed

to his ruin.

He is tried and condemned.

THE records of the court of justiciary at this period are loft. The account which our historians give of Morton's trial is inaccurate and unfatisfactory. The proceedings against him feem to have been carried on with violence. During the trial, great bodies of armed men were drawn up in different parts of the city. The jury was composed of the earl's known enemies; and though he challenged feveral. of them, his objections were over-ruled. After a short confultation his peers found him guilty of concealing, and of being art and part in the conspiracy against the life of the late king. The first part of the verdict did not surprise him, but he twice repeated the words art and part with some vehemence, and added, "God knows it is not fo." The

doom

doom which the law decrees against a traitor, was pro- Book nounced. The king, however, remitted the cruel and ignominious part of the fentence, and appointed that he should

1581.

fuffer death next day, by being beheaded p.

During that awful interval, Morton poffessed the utmost His death. composure of mind. He supped cheerfully; slept a part of the night in his usual manner, and employed the rest of his time in religious conferences, and in acts of devotion with fome ministers of the city. The clergyman who attended him, dealt freely with his confcience, and pressed his crimes home upon him. What he confessed with regard to the crime for which he fufféred, is remarkable, and fupplies, in fome measure, the imperfection of our records. He acknowledged, that on his return from England after the death of Rizio, Bothwell had informed him of the confpiracy against the king, which the queen, as he told him, knew of and approved; that he folicited him to concur in the execution of it, which at that time he absolutely declined; that foon after, Bothwell himfelf, and Archibald Douglas, in his name, renewing their folicitations to the fame purpose, he had required a warrant under the queen's hand, authorizing the attempt, and as that had never been produced, he had refused to be any farther concerned in the matter. "But," continued he, " as I neither confented to this " treasonable act, nor affisted in the committing of it, " fo it was impossible for me to reveal, or to prevent it. " To whom could I make the discovery? The queen was " the author of the enterprise. Darnly was such a change-" ling, that no fecret could be fafely communicated to him. " Huntly and Bothwell, who bore the chief fway in the " kingdom, were themselves the perpetrators of the crime." These circumstances, it must be confessed, go some length towards extenuating Morton's guilt; and though his apo-logy for the favour he had shewn to Archibald Douglas, whom he knew to be one of the conspirators, be far less fatisfactory, no uneafy reflections feem to have difquieted his own mind on that account q. When his keepers told him that the guards were attending, and all things in readinefs, "I praife my God," faid he, "I am ready likewife." Arran commanded thefe guards; and even in those moments, when the most implacable hatred is apt to relent, the malice of his enemies could not forbear this infult.

P Spotsw. 314. Johnst. 65. Crawf. Mem. 332. Cald. iii. 45. Arnot's. Crimin. Trials, 388. Crawf. Mem. App. iii.

VI.

.1581.

BOOK On the scaffold, his behaviour was calm; his countenance and voice unaltered; and after some time spent in devotion, he fuffered death with the intrepidity which became the His head was placed on the public name of Douglas. gaol of Edinburgh; and his body, after lying till fun-fet on the scaffold, covered with a beggarly cloak, was carried by common porters to the usual burial-place of criminals. None of his friends durst accompany it to the grave, or discover their gratitude and respect by any symptoms of forrow r.

Odious conduct of Arran.

Arran, no less profligate in private life, than audacious in his public conduct, foon after drew the attention of his countrymen, by his infamous marriage with the countess of March. Before he grew into favour at court, he had been often entertained in her husband's house, and without regarding the laws of hospitality or of gratitude, carried on a criminal intrigue with the wife of his benefactor, a woman young and beautiful, but, according to the description of a cotemporary historian, "intolerable in all " the imperfections incident to her fex." Impatient of any restraint upon their mutual desires, they, with equal ardour, wished to avow their union publicly, and to legitimate, by a marriage, the offspring of their unlawful passion. The countefs petitioned to be divorced from her husband, for a reason which no modest women will ever plead. The judges, over-awed by Arran, passed sentence without This infamous scene was concluded by a marriage, folemnifed with great pomp, and beheld by all ranks of

July 6.

Q 2ob. 24.

men with the utmost horror's. A PARLIAMENT was held this year, at the opening of which fome disputes arose between Arran and the earl now created duke of Lennox. Arran, haughty by nature, and pushed on by his wife's ambition, began to affect an equality with the duke, under whose protection he had hitherto been contented to place himself. After various attempts to form a party in the council against Lennox, he found him fixed fo firmly in the king's affections, that it was impossible to shake him; and rather than lose all interest at court, from which he was banished, he made the most humble submissions to the favourite, and again recovered his former credit. This rupture contributed, however, to render the duke still more odious to the nation. During the continuance of it, Arran affected to court the clergy, pretended an extraordinary zeal for the protestant religion, and

and laboured to confirm the fuspicions which were enter- BOOK tained of his rival, as an emissary of the house of Guise, and a favourer of popery. As he was supposed to be acquainted with the duke's most fecret defigns, his calumnies were listened to with greater credit than was due to his character. To this rivalship between Lennox and Arran, during the continuance of which each endeavoured to conciliate the good will of the clergy, we must ascribe several acts of this parliament uncommonly favourable to the church, particularly one which abolished the practice introduced by Morton, of appointing but one minister to several parishes.

No notice hath been taken for feveral years of ecclefiafti- Ecclefiaftical affairs. While the civil government underwent fo many calaffairs. extraordinary revolutions, the church was not free from convulfions. Two objects chiefly engroffed the attention of the clergy. The one was, the forming a system of discipline, or ecclefiaftical polity. After long labour, and many difficulties, this fystem was at last brought to some degree of perfection. The affembly folemnly approved of it, and appointed it to be laid before the privy council, in order to obtain the ratification of it in parliament. But Morton, during his administration, and those who, after his fall, governed the king, were equally unwilling to fee it carried into execution; and by starting difficulties, and throwing in objections, prevented it from receiving a legal fanction. The other point in view was, the abolition of the episcopal order. The bishops were so devoted to the king, to whom they owed their promotion, that the function itself was by fome reckoned dangerous to civil liberty. Being allowed a feat in parliament, and diffinguished by titles of honour, thefe not only occasioned many avocations from their spiritual employments, but foon rendered their character and manners extremely different from those of the clergy in that The nobles viewed their power with jealoufy; the populace confidered their lives as profane; and both wished their downfal with equal ardour. The personal emulation between Melvil and Adamson, a man of learning, and eminent for his popular eloquence, who was promoted, on the death of Douglas, to be archbishop of St. Andrew's, mingled itself with the passions on each side, and heightened them. Attacks were made in every affembly on the order of bishops; their privileges were gradually circumscribed; and at last an act was passed, declaring the office of bishop, as it was then exercised within the realm, to have neither foundation

VY. 1581.

\$ 0 0 k not warrant in the word of God; and requiring, under pain of excommunication, all who now possessed that office. instantly to refign it; and to abstain from preaching or administering the facraments, until they should receive permiffrom the general affembly. The court did not acquiefce in this decree. A vacancy happening foon after in the fee of Glafgow, Montgomery, minister at Stirling, a man vain, fiekle, prefumptuous, and more apt, by the blemishes in his character, to have alienated the people from an order already beloved, than to reconcile them to one which was the object of their hatred, made an infamous simoniacal bargain with Lennox, and on his recommendation was chosen archbishop. The presbytery of Stirling, of which he was a member, the prefbytery of Glasgow, whither he was to be translated, the general assembly, vied with each other in profecuting him on that account. In order to fcreen Montgomery, James made trial both of gentle and of rigorous measures, and both were equally ineffectual. The general affembly was just ready to pronounce against him the fentence of excommunication, when an herald entered, and commanded them in the king's name, and under pain of rebellion, to ftop further proceedings. Even this injunction they despised; and though Montgomery, by his tears and feeming penitence, procured a short respite, the sentence was at last issued by their appointment, and published in all the churches throughout the kingdom.

THE firmness of the clergy in a collective body was not greater than the boldness of some individuals, particularly of the ministers of Edinburgh. They inveighed daily against the corruptions in the administration; and, with the freedom of freech admitted into the pulpit in that age, named Lennox and Arran as the chief authors of the grievances under which the church and kingdom groaned. The courtiers, in their turn, complained to the king of the infolent and feditions spirit of the clergy. In order to check the boldness of their discourses, James issued a proclamation, commanding Dury, one of the most popular ministers, not only to leave the town, but to abstain from preaching in any other place. Dury complained to the judicatories of this encroachment upon the immunities of his office. They approved of the doctrine which he had delivered; and he determined to difregard the royal proclamation. But the magistrates being determined to compel him to leave the city, according to the king's orders, he was obliged to abandon his charge, after protesting publicly, at the cross of Edinburgh, against the

violence which was put upon him. The people accompanied B o o K him to the gates with tears and lamentations; and the clergy denounced the vengeance of Heaven against the authors of 1582. this outrage t.

In this perilous fituation stood the church, the authority of its judicatories called in question, and the liberty of the pulpit restrained, when a sudden revolution of the civil go-

vernment procured them unexpected relief.

THE two favourites, by their afcendant over the king, His favoupossessed uncontrouled power in the kingdom, and exercised rites engage it with the umost wantonness. James usually resided at the king in unpopular Dalkeith, or Kinneil, the feats of Lennox and of Arran, measures. and was attended by fuch company, and employed in fuch amusements, as did not fuit his dignity. The services of those who had contributed most to place the crown on his head were but little remembered. Many who had opposed him with the greatest virulence, enjoyed the rewards and honours to which the others were entitled. Exalted notions of regal prerogative, utterly inconfiftent with the conflitution of Scotland, being instilled by his favourites into the mind of the young monarch, unfortunately made, at that early age, a deep impression there, and became the source of almost all his subsequent errors in the government of both kingdoms ". Courts of justice were held in almost every county, the proprietors of land were called before them, and upon the flightest neglect of any of the numerous forms which are peculiar to feudal holdings, they were fined with unufual and intolerable rigour. The lord chamberlain revived the obsolete jurisdiction of his office over the boroughs, and they were subjected to actions no less grievous. A defign feemed likewise to have been formed to exasperate Elizabeth, and to dissolve the alliance with her, which all good protestants esteemed the chief security of their religion in Scotland. A close correspondence was carried on between the king and his mother, and confiderable progrefs made towards uniting their titles to the crown, by fuch a treaty of affociation as Maitland had projected; which could not fail of endangering or diminishing his authority, and must have proved fatal to those who had acted against her with greatest vigour x.

ALL these circumstances irritated the impatient spirit of The nobles the Scottish nobles, who resolved to tolerate no longer the conspire insolence of the two minions, or to stand by, while their against prefumption them.

\* Ibid. iii. 157.

<sup>&#</sup>x27; Cald. Assemb. 1576-1582. Spotsw. 277, &c. a Cald. iii. 152.

BOOK prefumption and inexperience ruined both the king and kingdom. Elizabeth, who, during the administration of the four regents, had the entire direction of the affairs of Scotland, felt herfelf deprived of all influence in that kingdom ever fince the death of Morton, and was ready to countenance any attempt to refcue the king out of the hands of favourites who were leading him into measures so repugnant to all her views. The earls of Mar and Glencairn, lord Ruthven, lately created earl of Gowrie, lord Lindfay, lord Boyd, the tutor of Glamis, the eldeft fon of lord Oliphant, with feveral barons and gentlemen of distinction, entered into a combination for that purpose; and as changes in administration, which, among polished nations, are brought about flowly and filently, by artifice and intrigue, were in that rude age affected fuddenly and by violence, the king's fituation, and the fecurity of the favourites, encouraged the conspirators to have immediate recourse to force.

Seize the king's perfon at Ruthven.

JAMES, after having refided some time in Athol, where he enjoyed his favourite amusement of hunting, was now returning towards Edinburgh with a small train. He was invited to Ruthven castle, which lay in his way; and as he fuspected no danger, he went thither in hopes of farther fport. The multitude of strangers whom he found there gave him fome uneafiness; and as those who were in the fecret arrived every moment from different parts, the appearance of fo many new faces increased his fears. He concealed his uneafiness, however, with the utmost care; and next morning prepared for the field, expecting to find there fome opportunity of making his escape. But just as he was ready to depart, the nobles entered his bedchamber in a body, and prefented a memorial against the illegal and oppressive actions of his two favourites, whom they represented as most dangerous enemies to the religion and liberties of the nation. James, though he received this remonstrance with the complaifance which was necessary in his present situation, was extremely impatient to be gone; but as he approached the door of his apartment, the tutor of Glamis rudely stopped him. The king complained, expostulated, threatened, and finding all these without effect, burst into tears: "No " matter," faid Glamis fiercely, " better children weep " than bearded men." These words made a deep impression on the king's mind, and were never forgotten. The confpirators, without regarding his tears or indignation, difmiffed fuch of his followers as they fuspected; allowed none but persons of their own party to have access to him; and, though they treated him with great respect, guarded his perion

person with the utmost care. This enterprise is usually called BOOK

by our historians, The raid of Ruthven y.

LENNOX and Arran were aftonished to the last degree at \ an event so unexpected, and so fatal to their power. The former endeavoured, but without fuccess, to excite the in- Commit habitants of Edinburgh to take arms in order to refeue their Arran to fovereign from captivity. The latter, with his usual impetuofity, mounted on horseback the moment he heard what had befallen the king, and with a few followers rode towards Ruthven-castle; and as a considerable body of the conspirators, under the command of the earl of Mar, lay in his way ready to oppose him, he separated himself from his companions, and with two attendants arrived at the gate of the castle. At the fight of a man so odious to his country, the indignation of the conspirators rose, and instant death must have been the punishment of his rashness, if the friendship of Gowrie, or some other cause not explained by our historians, had not faved a life fo pernicious to the kingdom. He was confined, however, to the castle of Stirling, without being admitted into the king's prefence.

THE king, though really the prisoner of his own subjects, Command with whose conduct he could not help discovering many Lennox to fymptoms of difgust, was obliged to publish a proclamation, kingdom. fignifying his approbation of their enterprise, declaring that he was at full liberty, without any restraint or violence offered to his person; and forbidding any attempt against those concerned in the Raid of Ruthven, under pretence of rescuing him out of their hands. At the fame time, he commanded Lennox to leave Scotland before the twentieth of August 28.

September 2.

Soon after, fir George Carey and Robert Bowes arrived The conas ambassadors from Elizabeth. The pretext of their em-spirators baffy was to inquire after the king's fafety; to encourage nanced by and countenance the conspirators was the real motive of it. Elizabeth. By their intercession, the earl of Angus, who, ever since the death of his uncle Morton, had lived in exile, obtained leave to return. And the accession of a nobleman so powerful and fo popular strengthened the faction a.

LENNOX, whose amiable and gentle qualities had procured him many friends, and who received private affurances that the king's favour towards him was in no degree abated, feemed refolved, at first, to pay no regard to a command extorted by violence, and no less disagreeable to James, than it was

y Cald. iii. 134. Spotf. 320. Melv. 357. 2 Cald. iii. 135. 138. Ibid. iii. 152.

VI. 1582.

BOOK rigorous with regard to himself. But the power of his encmies, who were mafters of the king's person, who were fecretly supported by Elizabeth, and openly applauded by the clergy, deterred him from any enterprise, the success of which was dubious, and the danger certain, both to himfelf and to his fovereign. He put off the time of his departure, however, by various artifices, in expectation either that James might make his escape from the conspirators, or that fortune might prefent some more favourable opportunity of taking arms for his relief.

Their conduct ap-proved by an affembly and a of estates.

October 3.

On the other hand, the conspirators were extremely solicitous not only to fecure the approbation of their countrymen, but to obtain some legal fanction of their enterprise. For this purpose they published a long declaration, containing the convention motives which had induced them to venture on fuch an irregular step, and endeavoured to heighten the public indignation against the favourites, by representing, in the strongest colours, their inexperience and infolence, their contempt of the nobles, their violation of the privileges of the church, and their oppression of the people. They obliged the king, who could not with fafety refuse any of their demands, to grant them a remission in the most ample form; and not fatisfied with that, they applied to the assembly of the church, and eafily procured an act, declaring, "that they had done " good and acceptable fervice to God, to their fovereign, " and to their native country;" and requiring all fincere protestants to concur with them in carrying forward such a laudable enterprise. In order to add the greater weight to this act, every minister was enjoined to read it in his own pulpit, and to inflict the censures of the church on those who fet themselves in opposition to so good a cause. A convention of estates affembled a few days after, passed an act to the same effect, and granted full indemnity to the con-

Lennox's departure from Scotland.

JAMES was conducted by them, first to Stirling, and afterwards to the palace of Holy-rood-house; and though he was received every where with the external marks of respect due to his dignity, his motions were carefully observed, and he was under a restraint no less strict than at the first moment when he was feized by the conspirators. Lennox, after eluding many commands to depart out of the kingdom, was at last obliged to begin his journey. He lingered, however, for fome time in the neighbourhood of Edinburgh, as if he had still intended to make some effort towards restor-

fpirators for every thing they had done b.

ing the king to liberty. But either from the gentleness of his Book own disposition, averse to bloodshed and the disorders of civil war, or from some other cause unknown to us, he abandoned the defign, and fet out for France, by the way of England. The king issued the order for his departure with no less re- Dec. 30. luctance than the duke obeyed it; and both mourned a feparation, which neither of them had power to prevent. Soon after his arrival in France, the fatigue of the journey. or the anguish of his mind, threw him into a fever. In his last moments he discovered such a firm adherence to the protestant faith, as fully vindicates his memory from the imputation of an attachment to popery, with which he had been uncharitably loaded in Scotland . As he was the earliest, and best beloved, he was, perhaps, the most deferving, though not the most able, of all James's favourites. The warmth and tenderness of his master's affection for him was not abated by death itself. By many acts of kindness and generofity towards his posterity, the king not only did great honour to the memory of Lennox, but fet his own character in one of its most favourable points of view.

THE fuccess of the conspiracy which deprived James of Mary's liberty made great noise over all Europe, and at last reach if anxiety As her own experience had singlet her what injuries a confined. about her As her own experience had taught her what injuries a captive prince is exposed to suffer; and as many of those who were now concerned in the enterprise against her son, were the fame persons whom she considered as the chief authors of her own misfortunes, it was natural for the tenderness of a mother to apprehend that the fame calamities were ready to fall on his head; and fuch a prospect did not fail of adding to the diffress and horror of her own situation. In the anguish of her heart, she wrote to Elizabeth, complaining in the bitterest terms of the unprecedented rigour with which the herfelf had been treated, and befeeching her not to abandon her fon to the mercy of his rebellious subjects; nor permit him to be involved in the same misfortunes under which the had fo long groaned. The peculiar vigour and acrimony of style, for which this letter is remarkable, discover both the high spirit of the Scottish queen, unsubdued by her sufferings, and the violence of her indignation at Elizabeth's artifices and feverity. But it was ill adapted to gain the end she had in view, and accordingly it neither procured any mitigation of the rigour of her own confinement, nor any interpolition in favour of the king 4.

HENRY

BOOK VI. 1583. Ambaffadors arrive England.

January 7.

HENRY III. who, though he feared and hated the princes of Guise, was often obliged to court their favour, interposed with warmth, in order to extricate James out of the hands of a party so entirely devoted to the English interest. He commanded M. de la Motte Fenelon, his ambaffador at the court of England, to repair to Edinburgh, and to contribute France and his utmost endeavours towards placing James in a situation more fuitable to his dignity. As Elizabeth could not, with decency, refuse him liberty to execute this commission, she appointed Davison to attend him into Scotland as her envoy, under colour of concurring with him in the negociation, but in reality to be a fpy upon his motions, and to obstruct his James, whose title to the crown had not hitherto been recognifed by any of the princes on the continent, was extremely fond of fuch an honourable embaffy from the French monarch; and, on that account, as well as for the fake of the errand on which he came, received Fenelon with great respect. The nobles, in whose power the king was, did not relish this interposition of the French court, which had long lost its ancient influence over the affairs of Scotland. The clergy were alarmed at the danger to which religion would be exposed, if the princes of Guise should recover any afcendant over the public councils. Though the king tried every method for restraining them within the bounds of decency, they declaimed against the court of France, against the princes of Guise, against the ambassador, against entering into any alliance with fuch notorious perfecutors of the church of God, with a vehemence which no regular government would now tolerate, but which was then extremely common. The ambaffador, watched by Davison, distrusted by the nobles, and exposed to the infults of the clergy and of the people, returned into England without procuring any change in the king's fituation, or receiving any answer to a proposal which he made, that the government should be carried on in the joint names of James and the queen his mo-

Tames efcapes out of the hands of the conspirators.

MEANWHILE James, though he diffembled with great art, became every day more uneafy under his confinement; his uneafiness rendered him continually attentive to find out a proper opportunity for making his escape; and to this attention he at last owed his liberty, which the king of France was not able, nor the queen of England willing, to procure As the conspirators had forced Lennox out of for him. the kingdom, and kept Arran at a distance from court, they grew

Cald. iii. 207. Spotsw. 324. Murdin, 372, &c. See Appendix, No. 1X.

grew fecure; and imagining that time had reconciled the BOOK king to them, and to his fituation, they watched him with little care. Some occasions of discord had arisen among themselves; and the French ambassador, by somenting these during the time of his refidence in Scotland, had weakened the union, in which alone their fafety confifted f. Colonel William Stewart, the commander of the band of gentlemen who guarded the king's person, being gained by James, had the principal merit in the scheme for restoring his master to Under pretence of paying a visit to the earl of June 27. March, his grand uncle, James was permitted to go from Falkland to St. Andrew's. That he might not create any fuspicion, he lodged at first in an open defenceless house in the town, but pretending a curiofity to fee the castle, no fooner was he entered with fome of his attendants whom he could trust, than colonel Stewart commanded the gates to be shut, and excluded all the rest of his train. Next morning the earls of Argyll, Huntly, Crawford, Montrofe, Rothes, with others to whom the fecret had been communicated, entered the town with their followers; and though Mar, with several of the leaders of the faction, appeared in arms, they found themselves so far outnumbered, that it was in vain to think of recovering possession of the king's person, which had been in their power somewhat longer than ten months. James was naturally of fo foft and ductile a temper, that those who were near his person commonly made a deep impression on his heart, which was formed to be under the fway of favourites. As he remained implacable and unreconciled to the conspirators during so long a time, and at a period of life when refentments are rather violent than lasting, they must either have improved the opportunities of infinuating themselves into favour with little dexterity, or the indignation with which this first infult to his person and authority filled him, must have been very great.

His joy at his escape was youthful and excessive. He re- Resolves, folved, however, by the advice of fir James Melvil, and his however, wifest counsellors, to act with the utmost moderation. Hav- to treat ing called into his presence the leaders of both factions, the moderaneighbouring gentry, the deputies of the adjacent boroughs, tion. the ministers, and the heads of colleges, he declared, that although he had been held under restraint for some time by violence, he would not impute that as a crime to any man, but, without remembering the irregularities which had been to frequent during his minority, would pass a general act of

1583.

oblivion,

But Arran afcendant over him;

BOOK oblivion, and govern all his fubjects with undiffinguishing and equal affection. As an evidence of his fincerity, he visited the earl of Gowrie at Ruthven-caftle, and granted him a full pardon of any guilt he had contracted, by the crime committed in that very place g.

Bur James did not adhere long to this prudent and moregains his derate plan. His former favourite, the earl of Arran, had been permitted for some time to refide at Kinneil, one of his country feats. As foon as the king felt himfelf at liberty, his love for him began to revive, and he expressed a strong defire to fee him. The courtiers violently opposed the return of a minion, whose insolent and overbearing temper they dreaded, as much as the nation detefted his crimes. James, however, continued his importunity, and promising that he should continue with him no longer than one day, they were obliged to yield. This interview rekindled ancient affection; the king forgot his promise; Arran regained his ascendant over him; and within a few days refumed the exercise of power, with all the arrogance of an undeferving favourite, and all the rashness peculiar to himself h.

and the king purfues another plan.

THE first effect of his influence was a proclamation with regard to those concerned in the Raid of Ruthven. They were required to acknowledge their crime in the humblest manner; and the king promifed to grant them a full pardon, provided their future conduct were fuch as did not oblige him to remember past miscarriages. The tenour of this proclamation was extremely different from the act of oblivion which the conspirators had been encouraged to expect. Nor did any of them reckon it fafe to rely on a promife clogged with fuch an equivocal condition, and granted by a young prince under the dominion of a minister void of faith, regardless of decency, and transported by the defire of revenge even beyond the usual ferocity of his temper. Many of the leaders, who had at first appeared openly at court, retired to their own houses; and, foreseeing the dangerous storm which was gathering, began to look out for a retreat in foreign countries i.

Elizabeth's in behalf of the confpirators. August 7.

ELIZABETH, who had all along protected the conspirators, folicitations was extremely difgusted with measures which tended so visibly to their destruction, and wrote to the king a harsh and haughty letter, reproaching him in a style very uncommon among princes, with breach of faith in recalling Arran to court, and with imprudence in proceeding fo rigorously against

h Ibid. 274. \* Melv. 272. <sup>1</sup> Melv. 278. Spotf. 326. Cald. iii. 330.

against his best and most faithful subjects. James, with a BOOK becoming dignity, replied, that promifes extorted by violence, and conditions yielded out of fear, were no longer binding, when these were removed; that it belonged to him alone to chuse what ministers he would employ in his service; and that though he resolved to treat the conspirators at Ruthven with the utmost clemency, it was necessary, for the support of his authority, that fuch an infult on his person should not pass altogether uncensured k.

ELIZABETH's letter was quickly followed by Walfingham Sept. 1. her fecretary, whom she appointed her ambassador to James, Walsing-and who appeared at the Scottish court with a splendour and bassy into magnificence well calculated to please and dazzle a young scotland. prince. Walfingham was admitted to feveral conferences with James himself, in which he insisted on the same topics contained in the letter, and the king repeated his former an-

AFTER fuffering feveral indignities from the arrogance of Arran and his creatures, he returned to England, without concluding any new treaty with the king. Walfingham was, next to Burleigh, the minister on whom the chief weight of the English administration rested; and when a person of his rank stept so far out of the ordinary road of business, as to undertake a long journey in his old age, and under a declining flate of health, some affair of consequence was supposed to be the cause, or some important event was expected to be the effect, of this measure. But as nothing conspicuous either occasioned or followed this embassy, it is probable that Elizabeth had no other intention in employing this fagacious minister, than to discover, with exactness, the capacity and disposition of the Scottish king, who was now arrived at a time of life when, with some degree of certainty, conjectures might be formed concerning his character and future conduct. As James possessed talents of that kind, which make a better figure in conversation than in action, he gained a great deal by this interview with the English secretary, who notwithstanding the cold reception which he met with, gave fuch an advantageous representation of his abilities, as determined Elizabeth to treat him, henceforward, with greater decency and respect 1.

ELIZABETH's eagerness to protect the conspirators rendered James more violent in his proceedings against them. As they had all refused to accept of pardon upon the terms which

<sup>1</sup> Melv. 293. Cald. iii. 258. Jebb. ii. 536. Melv. 279.

I583.

BOOK which he had offered, they were required, by a new proclamation, to furrender themselves prisoners. The earl of Angus alone complied; the rest either sled into England, or obtained the king's licence to retire into foreign parts. A convention of estates was held, the members of which, deceived by an unworthy artifice of Arran's, declared those concerned in the Raid of Ruthven, to have been guilty of high treason; appointed the act past last year approving of their conduct to be expunged out of the records; and engaged to support the king in prosecuting the fugitives with

the utmost rigour of law.

THE conspirators, though far from having done any thing that was uncommon in a barbarous age, among mutinous nobles, and under an unfettled state of government, must be acknowledged to have been guilty of an act of treason against their fovereign; and James, who considered their conduct in this light, had good reason to boast of his clemency, when he offered to pardon them upon their confeffing their crime. But, on the other hand, it must be allowed that, after the king's voluntary promise of a general oblivion, they had some reason to complain of breach of faith, and, without the most unpardonable imprudence,

could not have put their lives in Arran's power.

1584. favour the confpirators, and irritate the king.

THE interest of the church was considerably affected by The clergy these contrary revolutions. While the conspirators kept posfession of power, the clergy not only recovered, but extended, their privileges. As they had formerly declared the hierarchy to be unlawful, they took fome bold measures towards exterminating the episcopal order out of the church; and it was owing more to Adamson's dexterity in perplexing and lengthening out the process for that purpose, than to their own want of zeal, that they did not deprive, and perhaps excommunicate, all the bishops in Scotland. When the king recovered his liberty, things put on a very different aspect. The favour bestowed upon Arran, the enemy of every thing decent and facred, and the rigorous profecution of those nobles who had been the most zealous defenders of the protestant cause, were considered as sure presages of the approaching ruin of the church. The clergy could not conceal their apprehensions, nor view this impending danger in Drury, who had been restored to his office as one of the ministers of Edinburgh, openly applauded the Raid of Ruthven in the pulpit, at which the king was fo enraged, that notwithstanding some symptoms of his submission, he commanded him to refign his charge in the city. Mr. Andrew

drew Melvil, being fummoned before the privy council, to BOOK answer for the doctrine which he had uttered in a fermon at St. Andrew's, and accused of comparing the present grievances of the nation with those under James III. and of intimating obliquely that they ought to be redreffed in the same manner, thought it incumbent on him to behave with great firmness. He declined the jurisdiction of a civil court, in a cause which he maintained to be purely ecclesiastical; the presbytery, of which he was a member, had, as he contended, the fole right to call him to account for words fpoken in the pulpit; and neither the king nor council could judge, in the first instance, of the doctrine delivered by preachers, without violating the immunities of the church. This exemption from civil jurisdiction was a privilege which the popish ecclesiastics, admirable judges of whatever contributed to increase the lustre or power of their body, had long struggled for, and had at last obtained. If the same plea had now been admitted, the protestant clergy would have become independent on the civil magistrate; and an order of men extremely useful to society while they inculcate those duties which tend to promote its happiness and tranquillity, might have become no lefs pernicious, by teaching, without fear or control, the most dangerous principles, or by exciting their hearers to the most desperate and lawless actions. The king, jealous to excess of his prerogative, was alarmed at this daring encroachment on it; and as Melvil, by his learning and zeal, had acquired the reputation and authority of head of the party, he refolved to punish him with the rigour which that pre-eminence rendered necessary, and to discourage, by a timely severity, the revival of such a dangerous claim. Melvil, however, avoided his rage, by flying into England; and the pulpits refounded with complaints that the king had extinguished the light of learning in the kingdom, and deprived the church of the ablest and most faithful guardian of its liberties and discipline m.

THESE violent declamations of the clergy against the meafures of the court were extremely acceptable to the people. The conspirators, though driven out of the kingdom, still possessed great influence there; and as they had every thing to fear from the refentment of a young prince, irritated by the furious counfels of Arran, they never ceased soliciting their adherents to take arms in their defence. Gowrie, the only person among them who had submitted to the king, and

accepted

BOOK accepted of a pardon, foon repented of a step which lost him the effeem of one party, without gaining the confidenceof the other; and, after fuffering many mortifications from the king's neglect and the haughtiness of Arran, he was at last commanded to leave Scotland, and to reside in France. While he waited at Dundee for an opportunity to embark, he was informed that the earls of Angus, Mar, and the tutor of Glamis, had concerted a scheme for surprising the castle of Stirling. In his situation, little persuasion was neceffary to draw him to engage in it. Under various pretexts he put off his voyage, and lay ready to take arms on the day fixed by the conspirators for the execution of their enterprife. His lingering fo long at Dundee, without any apparent reason, awakened the suspicion of the court, proved fatal to himself, and disappointed the success of the con-Colonel William Stewart furrounded the house ipiracy. where he lodged with a body of foldiers, and in spite of his relitance, took him prisoner. Two days after, Angus, Mar, and Glamis seized the castle of Stirling, and erected their standard there, published a manifesto, declaring that they took arms for no other reason but to remove from the king's presence a minion who had acquired power by the most unworthy actions, and who exercised it with the most intolerable infolence. The account of Gowrie's imprisonment struck a damp upon their spirits. They imputed it to treachery on his part, and suspected, that as he had formerly deferted, he had now betrayed them. At the same time Elizabeth having neglected to supply them in due time with a fum of money, which she had promised to them, and their friends and vasfals coming in slowly, they appeared irrefolute and disheartened; and as the king, who acted with great vigour, advanced towards them at the head of twenty thousand men, they fled precipitately towards England, and with difficulty made their escape ". This rash and feeble attempt produced fuch effects as ufally follow disappointed conspiracies. It not only hurt the cause for which it was undertaken, but added strength and reputation to the king; confirmed Arran's power; and enabled them to purfue their measures with more boldness and greater success. Gowrie was the first victim of their resentment. After a very informal trial, a jury of peers found him guilty of treason, and he was publicly beheaded at Stirling. To

<sup>\*</sup> Home's Hist. of House of Dougl. 376. Spotsw. 330. Calderw. iii. 324,

To humble the church was the king's next step. But as BOOK it became necessary, for this purpose, to call in the aid of the legislative authority, a parliament was hastily summoned: and while so many of the nobles were banished out of the May 22. kingdom, or forbidden to appear in the king's prefence; A parliawhile Arran's haughtiness kept some at a distance, and intimi- ment held. dated others; the meeting confifted only of those who were absolutely at the devotion of the court. In order to conceal Severe the laws which were framing from the knowledge of the laws against clergy, the lords of the articles were fworn to fecrecy; and the church. when some of the ministers, who either suspected or were informed of the danger, deputed one of their number to declare their apprehensions to the king, he was seized at the palace-gate, and carried to a distant prison. Others attempting to enter the parliament-house, were refused admittance o; and fuch laws were passed, as totally overturned the constitution and discipline of the church. The refusing to May 22. acknowledge the jurisdiction of the privy council; the pretending an exemption from the authority of the civil courts; the attempting to diminish the rights and privileges of any of the three estates in parliament, were declared to be high The holding affemblies, whether civil or ecclefiaftical, without the king's permission or appointment; the uttering, either privately or publicly, in fermons or in declamations, any false and scandalous reports against the king, his ancestors, or ministers, were pronounced capital crimes p.

When these laws were published at the cross of Edinburgh, according to the ancient custom, Mr. Robert Pont, minister of St. Cuthbert's, and one of the lords of session, folemnly protested against them, in the name of his brethren, because they had been passed without the knowledge or confent of the church. Ever fince the Reformation, the pulpits and ecclefiaftical judicatories had both been efteemed facred. In the former, the clergy had been accustomed to censure and admonish with unbounded liberty. In the latter, they exercifed an uncontrolled and independent jurisdiction. The blow was now aimed at both these privileges. new statutes were calculated to render churchmen as inconfiderable as they were indigent: and as the avarice of the nobles had stripped them of the wealth, the king's ambition was about to deprive them of the power, which once belonged to their order. No wonder the alarm was univerfal, and the complaints loud. All the ministers of Edinburgh forfook

pook forfook their charge and fled into England. The most eminent clergymen throughout the kingdom imitated their example. Desolation and assonishment appeared in every part of the Scottish church; the people bewailed the loss of pastors whom they esteemed; and full of consternation at an event so unexpected, openly expressed their rage against Arran, and began to suspect the king himself to be an enemy to the reformed religion q.

9 Spotfw. 333.

END OF VOL. 1.